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# A BETTER PLACE TO LIVE

FINAL REPORT



ONTARIO

DEPARTMENT  
OF  
MUNICIPAL AFFAIRS  
COMMUNITY PLANNING BRANCH



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# A BETTER PLACE TO LIVE

A Study on  
Minimum Standards of Occupancy  
and Maintenance of Dwellings

Jointly Sponsored by  
Central Mortgage and Housing Corporation  
and  
The Ontario Department of Municipal Affairs



## FINAL REPORT

ONTARIO DEPARTMENT OF MUNICIPAL AFFAIRS

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*Deputy Minister*  
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## *Introduction*

This report is based upon the belief that housing of all forms is a valuable social and economic asset. It is both a physical and a social resource, and like all resources, it is limited while the demands upon it are many. It occupies the largest proportion of built-up land area in all urban communities. It is subject to many deteriorating influences and it is difficult to replace. Because it is both a valuable resource and an important influence in shaping the lives of citizens, the conservation of it should be one of the prime objectives of every community.

For many people the investment in a dwelling is the largest investment they ever make. Usually, the investor wants to protect his investment by taking good care of the house. Negative influences, however, may hinder his good intentions. The original owner may move away, or he may be short of funds. There may be changes in neighbourhood environment which discourage good maintenance of the individual home, such as overcrowding, lack of sufficient open space, heavy traffic, and the point of view that money will be saved—or made—if the house is neither maintained nor improved.

A house also represents a social and a community asset. As a social asset, it is the primary physical environment in which an individual grows and lives. As a community asset, it is a place to live, it produces revenue and its appearance adds to or detracts from the physical environment.

In all levels of society, there are standards by which individuals conduct themselves. Such standards may be customary or based on law, but to deviate to something less than the accepted standard is not regarded with favour. However, standards change with society and new situations create new standards in different ways depending upon the tradition of any given group. What was standard twenty-five years ago, may be substandard tomorrow.

Because of the importance of housing to the individual and to the community, the requirement for standards is immediate. A house must be safe from collapse or fire, and, hence, there are standards of construction and fire prevention. There are also other standards for dwellings such as standards regulating the size, kind, and relationship of one dwelling to another and there are standards to minimize and control the incidence and the spread of disease.

In spite of the fact that standards have increased in number and in quality, the deterioration of housing in some instances, has been of such magnitude that expensive redevelopment projects have been necessary, and, redevelopment of this type inevitably requires large public expenditures.

However, the interest in preventing the spread of blight in deteriorating neighbourhoods has increased substantially in the last decade and many of the reasons for blight have been identified. One of the principal reasons is the lack of minimum standards of occupancy and maintenance for dwellings, while another is the lack of enforcement if there are such standards.

The completion of this report culminates a three year study on by-laws and other regulations having a bearing upon maintaining minimum housing standards.



Both public and private interest in this kind of investigation has increased significantly over the past four years. In October 1957, for example, the Ontario Division of the Community Planning Association of Canada sponsored the Ontario Urban Renewal Conference, the first of its kind in Canada. From that Conference, the following recommendation was forwarded to the Ontario Government:

*WHEREAS it would appear that Municipal Building Inspectors are lacking the authority to condemn buildings and to enforce maintenance standards,*

*IT IS RECOMMENDED*

*THAT the Ontario Departments of Municipal Affairs and Planning and Development, together with such other Departments having an interest, be requested to make a study as to what are the statutory powers of the municipalities in regard to the creation of Standards of Maintenance in Dwellings and other buildings; and if in their opinion such powers are inadequate and some new legislation or amendments to existing legislation are required, to recommend through the appropriate provincial authority that such legislation be enacted.*

In June 1958, a special full-day meeting was held in Winnipeg, Manitoba between Provincial Planning Officials from eight provinces and representatives from Central Mortgage and Housing Corporation to discuss a proposed study. The meeting agreed that the study should be undertaken by the province of Ontario with the co-operation of Planning Officials in each of the other nine provinces. In accordance with the provisions of Part V of the National Housing Act, 1954, Central Mortgage and Housing Corporation agreed to pay 75% of the cost of the study, with the remaining 25% contributed by the Province of Ontario. Subsequently, in April 1959, a formal agreement was ratified.

The framework of the report has been focused around the following questions:

1. What legislation already exists at various government levels to control a minimum standard of housing?
2. How are these controls administered?
3. How effective are the controls and what are the special administrative problems?
4. Is a separate set of housing standards desirable? How should such standards be administered? What should they contain?
5. What are the relative roles of housing standards and enforcement programs in planning for community development and maintenance?

At the outset, many difficult problems immediately became obvious. For example, how are existing controls identified? How may their use and effectiveness be assessed? How is fact identified and separated from "wishful thinking"? How can the delicate question of overlapping responsibilities be met? How can a general solution to the problem be adopted knowing the extreme variations in size, type and location of communities throughout Ontario, and indeed, throughout Canada? How can the suitability of minimum standards be assessed in terms of a given community? What are the basic elements in a minimum standards by-law? How realistic is a program which is only one part of a complex situation affected by many other factors? What does a program of upkeep, alterations and improvement cost, in terms of the community, and most important, in terms of the individual owner or tenant?

This report does not offer specific recommendations for action. Its purpose, rather, is to document general findings gathered from a variety of authoritative sources, so that others may develop specific recommendations for action should sufficient local interest prevail.

The report is presented in four parts. The first part attempts to depict the general standard of housing in Canada as of the closing months of 1961.

Part II traces the long history of interest in housing conditions in Canada, supported by parallel interests in the United States and the United Kingdom.

Part III is intended to guide those interested in initiating an improving program of housing conservation, by raising basic questions on organization, administration, community planning and costs.

The final part presents a suggested "model" housing standards by-law, together with suggested provincial legislation to enable municipalities in Ontario to adopt such by-laws.

The following seven points summarize the major observations resulting from the study:

1. Programs of dwelling conservation cannot be expected to be successful if they are conceived and administered apart from other community development programs. Greater emphasis must be placed upon the function of long-range community planning when considering dwelling conservation programs, including by-law enforcement.

2. Rehabilitation is frequently confused with conservation. Rehabilitation is the raising of standards through physical improvement. Conservation is maintaining these, and higher standards on a long-range basis. Buildings are rehabilitated by adding space, painting, repairing, and other physical changes. Neighbourhoods, too, are rehabilitated—often by removing the worst houses, changing street patterns, adding parks and other open spaces. In general, these are the things a municipality does to add confidence to the neighbourhood, and to encourage the individual to maintain his own property.

3. Many factors enter into a dwelling conservation program such as adequate planning, integrated administration, trained staff, money to repair, and willingness to recognize a standard by owners. One of the major factors identified by many during the course of the study was that of assessment and taxation. Many felt that the present traditional form of assessing land and buildings discouraged improvements and encouraged blight. Suggestions for improvement ranged from tax concession for improvement and penalties for neglect, to revision in the present assessment and tax structure.

4. Money to make dwelling conservation programs effective must come from two sources. These are public money to undertake general and specific neighbourhood improvement programs and private funds to pay for actual maintenance and improvements in individual houses. The need to relate municipal improvement programs to neighbourhoods, to encourage maximum individual, private effort, emphasizes the long-recognized need to consider capital budgeting in long-range community planning programs.

Funds for individual, dwelling maintenance and improvements are limited. The sources are the individual's capacity to pay, government assisted home improvement loans and, in a few cases, municipal loans to take care of "hardship" cases. It has been suggested that more attention must be paid to increasing the amount of loans from public sources, and that the choice of home ownership under government assisted mortgages be broadened to include used, or existing real estate. At present, the choice is limited to new construction—frequently, if not always in the suburbs.

5. Rooming houses are reported to be the most difficult kind of dwelling to deal with in setting and enforcing minimum standards of occupancy and maintenance. It was generally agreed by those officials and others directly involved that a minimum standard of occupancy and maintenance should apply to dwellings in rooming houses as well as to other dwellings. It was the view of many that rooming houses should be subjected to the same inspection and enforcement as any other dwelling, and not limited to a system of licensing.

6. Implementation of a by-law enforcement program will necessarily vary according to the wide variety of local administrative circumstances found in Ontario and in the other provinces. Co-ordination of inspection and enforcement policies is deemed essential. The overall aim should be one of education and voluntary compliance. The legal enforcement of a by-law is the last resort.



7. The by-law appearing in this report has been developed as a guide to municipalities interested in taking a more active program of conserving existing residential stock and of preventing neighbourhood blight. As local conditions will necessitate variations in the administration of such a program, so too, will local conditions affect the details contained in the by-law.

While there are a number of pieces of legislation affecting certain aspects of dwellings—health, safety and structure—the contents of the suggested by-law do not overlap or interfere. Integration of all other aspects will have to be achieved.

As this particular study concluded, there was encouragement by the tone of the bold initiative in the program announced by the Prime Minister of Ontario, Honourable J. P. Robarts. Speaking in the Legislature he anticipated a comprehensive program for preventive maintenance of housing. He said:

*We plan to explore what can be done to encourage by practical means, preventive maintenance of housing, particularly in areas which might otherwise ultimately become depressed areas resulting in expensive re-development. This will involve detailed studies undertaken jointly with the Community Planning Branch of The Department of Municipal Affairs, Central Mortgage and Housing Corporation, and, perhaps, the municipalities, before a positive scheme can be mapped out. It is hoped that by a year from now a comprehensive program of encouragement for preventive maintenance of housing stock may be announced.*

*Meanwhile, the program envisages . . . the provision of assistance to individuals and to municipalities to assist them in acquiring and rehabilitating housing units in borderline districts which do not yet require urban redevelopment. The Province possesses under the terms of The Housing Development Act, the power to guarantee loans. Studies will be carried out to see how such a plan can be worked out. Similar guarantees or assistance could be available to municipalities interested in acquiring and clearing non-salvageable residential properties in borderline areas, to make way for public purposes, e.g. public buildings, parks, etc. It should be stressed, however, that details will have to be worked out jointly with the Community Planning Branch of The Department of Municipal Affairs, and with various interested municipalities so that assistance of this type will not be given except in areas which are worth preserving. . .<sup>1</sup>*

The statement is a timely recognition of the urgency of this report.

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1) Ontario, Legislature of Ontario Debates, Third Session of the Twenty-Sixth Legislature, Friday, February 23, 1962 (Toronto: The Queen's Printer, 1962), pp. 580, 381.

## PART I

# HOUSING CONDITIONS IN CANADA

*Cities are organic entities. They behave like the people who live in them. A city without people is a mere collection of "sticks and stones". Consequently, like people, cities are born, they grow to maturity and finally grow old and some parts decay. In order to keep a city wholesome and maintain it as a living organism, old and declining areas must be renewed. . . .*<sup>1</sup>

### THE QUANDARY.

What are the housing conditions in our towns and cities? Houses have been built in unprecedented numbers since 1945.<sup>2</sup> Are conditions really so bad? Is there a continuing need for improved conditions?

These are some of the questions which confront every citizen and legislator when he contemplates the housing situation. Unless one is closely connected with work which permits him to see community conditions as a whole, he assumes that as long as people are working the housing conditions will automatically adjust themselves.<sup>3</sup> There are others, however, who recognize that there is a constant need for improved conditions, but are baffled by the problems of identifying the relative factors involved in the process of deterioration.

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1) City of Trail, B.C., "A Study for Urban Renewal in Trail, B.C." A Report Prepared for the City Council by H. Peter Oberlander and R. J. Cave (Trail: 1959), p. ii.

2) There were 1,538,855 dwelling units constructed in Canada from 1946 to 1960 inclusive\*.

\* Canada, Dominion Bureau of Statistics, "Statistics on New Residential Construction," 1946-1960 (Ottawa).

3) In September 1961, there were 6,235,000 people employed in Canada compared to 5,955,000 persons employed on the average for the year 1960, which, up to that time was the highest average annual employment figure.† Industrial composite average weekly wages and salaries were \$78.32 in July 1961.\*\*

†) Canada, Dominion Bureau of Statistics, "The Labour Force", Vol. 17, No. 9 (Ottawa: 1961), p. 1.

\*\* Canada, Dominion Bureau of Statistics, "The Advance Statement of Employment and Weekly Earnings", Vol. 39, No. 7 (Ottawa: 1961), pp. 1, 2.





## CHAPTER I

# HOUSING NEED



Dr. Albert Rose addressing the National Conference on Planning in Ottawa in October 1950, made some reference to housing need in relation to other community factors. He said:

*We can identify need as related to accepted neighbourhoods for urban redevelopment; as related to substandard structures in non-blighted areas; as related to inadequate dwelling units within otherwise satisfactory structures; as related to the imbalance or poor fit of the household to the dwelling unit; and as related to the basic and fundamental dissatisfaction of the household with the neighbourhood and its amenities or with other criteria just mentioned.<sup>1</sup>*

In this context, need is something more than a numerical quantity of dwellings. Neighbourhood conditions, structure, internal inadequacies of dwelling units, the number of people in the household and their peculiar requirements and traditions, combine to constitute different needs for individual families and households.

Dr. Rose has concluded that the lack of certain essentials is *the fundamental indictment of sub-standard housing and slum areas and provides the case for clearance.*<sup>2</sup>

The essentials to which Dr. Rose refers were formulated by Dr. C. E. A. Winslow's Committee on the Hygiene of Housing, American Public Health Association.<sup>3</sup> Dr. Rose has summarized them as follows:

**A. Fundamental Physiological Needs:**

*Proper temperature, pure air, adequate natural and artificial light, quiet, adequate space for play and outdoor living.*

**B. Fundamental Psychological Needs:**

*Adequate privacy, opportunities for normal family and community life, ease of household operation, maintenance of cleanliness, aesthetic satisfaction.*

1) Dr. Albert Rose, "An Experimental Study of Local Housing Conditions and Needs." A Study Undertaken by the School of Social Work, University of Toronto, for Central Mortgage and Housing Corporation (Ottawa: Central Mortgage and Housing Corporation, 1955), p. 114.

2) Albert Rose, "Regent Park", A Study in Slum Clearance (Toronto: University of Toronto Press, 1958), p. 130.

3) American Public Health Association, Committee on the Hygiene of Housing, "Basic Principles of Healthful Housing" (2nd ed., reprinted 1946), pp. 2-4.

**C. Protection against Contagion:**

*Pure water supply, toilet facilities, interior sanitation, exclusion of vermin, food storage facilities, sufficient sleeping space.*

**D. Protection against Accidents:**

*Sound construction, fire protection, protection against electrical defects and gas poisonings, injuries in the home, traffic hazards.<sup>4</sup>*

This insight into the depth of the problem brings to one's realization the urgency of a continuing examination of housing in any given area having regard to contemporary demands and standards at that point of time.

### QUANTITY

As long as there is a shortage of housing in a community there will be instances of overcrowding, deteriorating structural conditions, neighbourhoods on the downgrade and many inadequacies in terms of family living. The multiplicity of such conditions in any one municipality or province and the totality of its impact on the entire country is cause for serious concern. However, in terms of measurement the easy and obvious approach is to calculate the actual housing shortage on a nation-wide basis. Although this will give an overall picture of need, its relevance will be of greater worth if municipalities and communities were, in turn, to determine for themselves the number, location and kind of dwellings for which there is a shortage within their own borders. In turn, the problem will be solved effectively, only by the determination of the local jurisdictions to meet the needs of each segmented part of their own communities. Then the total positive impact of improvement may be measured just as the total negative impact of shortage is measured now.

Although there is frequent reference to the post-war housing shortage, it should be noted that the housing shortage was evident long before 1946. Indicative of the pre-war shortage is the observation made in 1939, of Dr. A. E. Grauer.

*The Bureau of Statistics estimated for the Housing Committee of the House of Commons that the residential accommodation provided in the three years, 1932-34, was not much more than one-third of that required for the proper housing for the increasing population of the DOMINION. The total residential construction for this period provided homes for some 27,500 households,*

4) Rose, "op. cit." p. 130.



while the equivalent of some 82,000 households were added to the population of Canada.<sup>5</sup>

Dr. Grauer, after noting the effect of rapid growth followed by four years of World War I; the subsequent expansion and immigration; and the eight years of severe depression which brought building almost to a standstill, came to the conclusion that *the inevitable result is a housing problem of unusual magnitude and acuteness*.<sup>6</sup>

Referring to the circumstances of the 1920's, the Report of the Advisory Committee on Reconstruction reads as follows:

(...) *the belief that the comparatively large volume of house building in the 1920's, which has been called by some a housing boom, brought about satisfactory housing conditions and provided homes for nearly everybody in the country, has no basis in fact. The number of dwelling units built during the '20's did not even approximate the requirements for a good standard of housing accommodation for Canadian cities and towns, and rural building probably lagged even more. Slum districts and blighted areas, including cores of dilapidated and unsanitary buildings, were most clearly established in Canada toward the end of the '20's. New houses were being erected all the time, it is true, but most frequently in districts as far away as possible from the blighted areas.*<sup>7</sup>

By 1931, it is estimated that there were 163,000 families doubled up with other families.<sup>8</sup> In 1939 it is estimated that the number had risen to 188,000;<sup>9</sup> in 1945 to 311,000;<sup>10</sup> in 1955 to 350,000;<sup>11</sup> and that if the present rate of doubling up continues in terms of projected population, by 1980 there will be 600,000 families who will not be in separated dwelling units.<sup>12</sup>

In 1944 the Report of the Advisory Committee on Reconstruction stated that *to provide every family and non-family group with a dwelling of its own, it would be necessary to increase the existing housing supply (...) by 194,000 units*.<sup>13</sup> This did not take account of the existing obsolete houses which were ready for replacement.

In 1951 the Census of Canada showed that there were 13,984,329 people, and there were 4.07 persons per household.<sup>14</sup> There were 3,420,822 occupied dwellings, 112,878 vacant dwellings and 51,428 units

under construction, making a total of 3,585,128 in all.<sup>15</sup> Assuming that there should be at least one dwelling unit for every household, the population in terms of households required 3,435,953 dwellings. In addition, normal provisions should be made for a 4 per cent vacancy rate and a 2 per cent replacement rate.<sup>16</sup> However, in 1951 there were 437,570 dwellings in need of major repair.<sup>17</sup>

With this information, the following calculations may be made for 1951:

TABLE I HOUSING NEED 1951

No. of households	3,435,953
4% vacancy rate (4/100 x 3,435,953)	137,438
*No. of dwellings in need of major repair	457,570
Total no. of dwellings required	4,030,961
Total no. of dwellings in existence	3,585,128
No. of dwellings deficient	445,833

TABLE II HOUSING NEED 1960

aNo. of households 1960	4,404,000
4% vacancy rate (4/100 x 4,404,000)	176,160
2% replacement rate (2/100 x 4,404,000)	88,080
Total no. of dwellings required	4,668,240
bDwellings 1955	
Occupied	3,800,000
Vacant	100,000
Total	3,900,000
cNew dwellings	
1956	135,700
1957	117,283
1958	146,686
1959	145,671
1960	123,757
Total	4,569,097
dDwellings lost from the stock in 5 years (5 x 8000)	40,000
No. of dwellings 1960	4,529,097
eNo. of dwellings deficient	139,143

5) Canada, Royal Commission on Dominion-Provincial Relations, Housing, A Study Prepared by A. E. Grauer (Ottawa: 1939), p. 62.

6) Ibid., p. 34.

7) Canada, Report of the Advisory Committee on Reconstruction. Vol. IV, Housing and Community Planning. (Ottawa: The King's Printer, 1944), p. 34.

8) Canada, Royal Commission on Canada's Economic Prospects, Housing and Social Capital, A Study Prepared by Yves Dubé, J. E. Howes, and D. L. McQueen (Ottawa: The Queen's Printer, 1957), p. 42.

9) O. J. Firestone, Residential Real Estate in Canada (Toronto: University of Toronto Press, 1951), Table 47, p. 205.

10) Ibid.

11) Central Mortgage and Housing Corporation, A Brief to the Royal Commission on Canada's Economic Prospects, "Housing and Urban Growth in Canada" (Ottawa: 1956), p. 10.

12) Ibid.

13) Advisory Committee on Reconstruction, op. cit., p. 142.

14) Canada, Census of Canada, 1951, Vol. III, Housing and Families (Ottawa: The Queen's Printer, 1953), Table 1.

15) Ibid., Table 2.

16) Advisory Committee on Reconstruction, op. cit., pp. 141, 145.

17) Census of Canada, op. cit., Table 16.

\* The replacement rate factor of 2 per cent has not been included as the actual number of dwellings in need of major repair, and hence replacement has been used.

a) Canada, Dominion Bureau of Statistics, Household Facilities and Equipment, May 1960.

b) Central Mortgage and Housing Corporation, A Brief to the Royal Commission on Canada's Economic Prospects, "Housing and Urban Growth in Canada" (Ottawa: 1956), pp. 9, 11.

c) Canada, Dominion Bureau of Statistics, Statistics on New Residential Construction 1946-1960 (Ottawa).

d) Central Mortgage and Housing Corporation, op. cit., p. 11.

e) This figure makes no allowance for there being not more than 88,080 dwelling units in need of major repair in 1960.

Central Mortgage and Housing Corporation has estimated that 3.4 million new dwellings are required for the period from 1955-1980.<sup>18</sup> In the study, *Housing and Social Capital*, prepared for the Royal Commission on Canada's Economic Prospects, it is estimated that the number of dwellings required for the same 25-year period may be as high as 3.7 million.<sup>19</sup> Table II is an estimate of the number of dwellings deficient in 1960 based on available information. When the 1961 census statistics are released, it will be possible to make the calculations for numerical housing need using the same method as shown in Table I.

## ECONOMIC NEED

In evaluating the pre-World War II standards, Dr. A. E. Grauer said:

*Practically all Canadian cities have regulations setting minimum standards of health and decency, the most significant being the 1936 by-law of the City of Toronto. However, these have not been successfully enforced, partly because of the opposition of property owners, but even more because of the reluctance of inspectors or health officers to enforce condemnation orders when they know that evicted tenants cannot find other accommodation.<sup>20</sup>*

Referring to a specific example of the reluctance to enforce condemnation orders, Dr. Grauer quoted the Chief Sanitary Inspector for Winnipeg who said: *I have not the soul or the conscience to throw these people out, because there is no place for them to go.<sup>21</sup>*

The investigations of the Canadian Legion immediately before the war and up to 1952 are recorded as follows:

*We found then that slum formation was progressing; health and welfare standards were being lowered; many people were living in condemned properties. Some of those condemned properties continue to be occupied to this day.*

*The main reason for this condition was found to be lack of income where with people could pay for decent shelter. Multiple occupancy was accepted as a normal condition, and in many instances, there was overcrowding to the point that health and welfare standards were impossible.<sup>22</sup>*

Dr. Albert Rose, however, has pointed out that because many of those who occupy substandard housing have lack of income, they should not be confused with persons on public assistance. In point of fact, many of the people in such premises may be "poverty"

cases, but still they are on their own resources and are not receiving direct public aid.<sup>23</sup>

The Urban Renewed Study of St. John's, Newfoundland also comments that *the low income of the population makes it almost impossible for them to comply with existing regulations.<sup>24</sup>*

Although George W. Kelly has praised the effectiveness of the Manitoba Public Health Regulations as applied in the City of Winnipeg, he has acknowledged that *if by mischance the slum clearance project fails to materialize, the Jarvis Avenue area part of the urban renewal area could absorb most of my staff with no assurance of worthwhile results, particularly if alternative low-rental housing were to continue to be unavailable.<sup>25</sup>* This view complements Dr. Grauer's conclusion that *the successful enforcement of health and sanitary regulations depends upon the existence of satisfactory alternative accommodation for the evicted tenants.<sup>26</sup>*

*To sum up, in Canada the housing difficulties of low income groups common to all countries have been complicated by conditions peculiar to a young country—rapid growth, inflated real estate values, speculative activity, influx of poor immigrants and lack of planning.<sup>27</sup>*

The Municipality of Metropolitan Toronto in its brief to the Royal Commission on Canada's Economic Prospects observed that in 1951, 42 per cent of the dwelling units occupied by post-war immigrants in the City of Toronto had *doubled up families* in contrast to 20 per cent to non-immigrant families. One-half of the immigrant families had lodgers whereas only 30 per cent of the non-immigrant families kept lodgers. There was also overcrowding in 41 per cent of the immigrant homes as against 12 per cent for the non-immigrants.<sup>28</sup>

These figures indicate that there was overcrowding, doubling up and additional people in each family unit because there was economic need. Central Mortgage and Housing Corporation has commented that:

*For the most part, families not maintaining their own household are in this situation not because they do not want separate accommodation, but because they cannot afford it. Voluntary sharing of accommodation does no doubt occur, but infrequently. The proportion of families not maintaining their own household declines sharply as incomes rise. In 1951, 90% of all families had their own dwelling unit, as compared with over*

23) Dr. Albert Rose, "Substandard Housing", Ontario Welfare Council Conference, May 20-22, 1959, Toronto, Ontario.

24) City of St. John's, Newfoundland, Urban Renewal Study, A Study Prepared for the Municipal Council by Project Planning Associates, Ltd. (Toronto: Maclean-Hunter Publishing Co., Ltd.), p. 7.

25) Excerpts from a letter from G. W. Kelly, Principal Inspector, Housing Division, Health Department, City of Winnipeg, Manitoba, November 30, 1961.

26) Royal Commission on Dominion-Provincial Relations, op. cit., p. 46.

27) Royal Commission on Dominion-Provincial Relations, op. cit., p. 33.

28) Royal Commission on Canada's Economic Prospects, op. cit., pp. 160-163.

18) Central Mortgage and Housing Corporation, op. cit., p. 34.

19) Royal Commission on Canada's Economic Prospects, op. cit., p. 45.

20) Royal Commission on Dominion-Provincial Relations, op. cit., p. 46.

21) Canada, House of Commons, Report of the Special Committee on Housing, 1935, (Ottawa), p. 179.

22) Canadian Legion, Ontario Command, Housing Committee, "Summary for Discussion", Ontario Housing Conference, March, 1952.



99% of families with incomes over \$6000 per annum.

.....  
(. . .) Any absolute shortage of housing tends to bear particularly heavily on low-income families.

(. . .) The greater part of the doubling up occurs amongst low-income families and most of

the dwellings in need of major repair and lacking essential sanitary facilities are occupied by low income families.<sup>29</sup>

This points up the need for accommodation which, if necessary, may have to be provided at less than the economic cost. This in itself, does not necessarily automatically eliminate blight any more than if all wages were suddenly raised to \$6000 or more per year. It does indicate, however, that the majority of the people will have their own homes if accommodation is offered at a price they can afford.

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29) Central Mortgage and Housing Corporation, op. cit., pp. 10, 24.

## CHAPTER II

# HOUSING AND MODERN CONVENIENCES



Current housing sizes and conveniences in the Province of Ontario would appear to be of high quality. This is significant from the national point of view as well, because 35 per cent of all the homes in Canada are located in Ontario.<sup>1</sup>

Reflecting the need for space, the six room house predominates and is characteristic of 28 per cent of all occupied dwellings.<sup>2</sup> The number of seven room houses follows close behind and accounts for 28 per cent of all occupied dwellings.<sup>3</sup>

In 1951, 69 per cent of Ontario dwellings had both hot and cold piped water, but in 1960 this percentage had risen to 88 per cent; 6 per cent had piped cold water only, and 6 per cent had neither a hot nor cold piped water supply. Similarly in 1951, 68 per cent of the dwellings had a bathtub or shower as contrasted to 86 per cent in 1960 and only 2 per cent were sharing such facilities in 1960. Dwellings without bathtub or shower were 12 per cent of the total in 1960 compared to 27 per cent in 1951.<sup>4</sup>

Significant changes have been made in heating arrangements. In 1951, 57 per cent of the occupied dwellings were heated by coal or coke and in 1960, 65 per cent were heated by oil. Only 25 per cent were heated by oil in 1951 and in 1960 only 14 per cent were heated by coal or coke. Heating by wood declined from 14 per cent in 1951 to 5 per cent in 1960.<sup>5</sup>

Changes also took place in cooking facilities. The use of coal and wood ranges dropped from 25 per cent in 1951 to 5 per cent in 1960 and the use of electricity rose from 49 per cent in 1951 to 75 per cent in 1960. The least change was recorded for gas which dropped from 26 per cent in 1951 to 19 per cent in 1960.<sup>6</sup>

Modern mechanical refrigerators were in 97 per cent of all Ontario dwellings in 1960 compared to 82 per cent in 1951, and ice boxes which were in 20 per cent of the homes in 1951, had virtually disappeared by 1960, the number being something less than 1 per cent. An additional refrigeration facility which is becoming increasingly popular is the home freezer, and in 1960 there was one in 11 per cent of all Ontario homes.<sup>7</sup>

Other conveniences which are representative of the standard of living in Ontario are recorded hereunder.<sup>8</sup>

Item	% of Dwelling Units in Ontario, 1960, having the convenience.
Radio	96%
Telephone	91%
Power Washer	88%
Television	89%
Car	76%
Vacuum Cleaner	78%
Electric Sewing Machine	43%
Electric Floor Polisher	51%
Power Mower	32%
Hand Mower	35%
Electric Clothes Dryer	17%

A reflection of the times is the growing number of outboard motors. The number of outboard motors in Ontario in 1960 would equate 10 per cent of the number of dwelling units.<sup>9</sup> The recent Ontario "Hydro Appliance Survey" gives a further indication of demand for household comfort. It is reported that 1.1 per cent to 4.37 per cent of all homes in Ontario now have an air conditioner.<sup>10</sup>

Changes are also taking place in the farm homes.<sup>11</sup> A three year survey of farm homes and homemakers completed by the Home Economics Service of the Ontario Department of Agriculture in co-operation with the Canada Department of Agriculture found that there had been a tremendous amount of remodelling and repair work undertaken during the past five years. The most obvious were structural changes to provide for better utilization of existing space, and additional accommodation for bathrooms, furnace rooms, laundry rooms, recreation rooms and porches. Renovations were made to permit picture windows and better lighting. Clothes closets and cupboards have been enlarged to provide more storage space. Forty per cent of the families had made or planned plumbing installations and improvements to the water supply, and twenty per cent of those interviewed were improving the heating systems of their houses. More than one-third had

1) Ontario, *An Outline of Ontario Economic, Financial and Social Aspects* (Toronto: Dept. of Economics, 1961), p. 158.

2) Ibid.

3) Ibid.

4) Ibid. p. 159.

5) Ibid.

6) Ibid., p. 160.

7) Ibid.

8) Ibid.

9) Ibid.

10) The Financial Post, Toronto, "Most Have Fridges, Few Air Conditioners", November 18, 1961, p. 8.

11) The Globe and Mail, Toronto, "Ontario Survey of Farm Families", January 2, 1962, p. 9, "Old Farm Houses Get Special Face Lifting", January 8, 1962, p. 14.



made improvements to the grounds by fencing the garden or lawns, planting trees, rockeries, flower gardens and the building of driveways or patios.

The average farm home in Ontario is a seven room house, which is sixty years old. About a fifth of the houses are over one hundred years old and more than half are at least fifty years old. The size of house ranges from three to fifteen rooms with an occupancy

of one to eleven persons. Most of the houses are equipped with electricity, four-fifths have running water, and two-thirds have bathrooms and central heating.

Although the evidence of scattered blight is all too prevalent, nevertheless there is a positive demand for higher standards as manifested in the modernization of both rural and urban homes.

## CHAPTER III

# HARBINGERS OF TROUBLE

### MAJOR REPAIR — OVERCROWDING (ONTARIO)

In spite of Ontario's impressive record of having more than one-third of the dwelling units in Canada and the high standard of conveniences, in 1951 it had almost one-quarter of the houses in Canada which

were in need of major repair, while over 13 per cent of the total dwelling units in Canada were in the same category.<sup>1</sup> (In terms of percentage, the latter figure was one-half the rate of that of 1941 (26 per cent)).<sup>2</sup> In addition, five of the cities in Canada which showed an increase in overcrowding, in 1951 over 1941, were located in Ontario.<sup>3</sup>

### IMPRESSIONS OF CANADIAN CITIES

The current picture of blighted and slum areas across Canada—in spite of the high quality of most housing—should alert all those who have concern for the public interest to take steps to prevent further physical, economic and social deterioration. The field notes, which were taken during the course of this study, indicate that there is serious cause for alarm.<sup>4</sup>

Here are some of the impressions which were recorded by the field staff:

*Low incomes, old buildings and an expanding population. Low wages, seasonal lay-offs, and lack of employment frequently lead to overcrowding of all and deteriorating houses.*<sup>5</sup>

*Frame construction, overcrowded, rents, even for the poorer accommodation, are considered high.*<sup>6</sup>

*[It was observed that there were problems of] overcrowding and exterior maintenance.*<sup>7</sup>

*The City suffers from an acute housing shortage.*<sup>8</sup>

*Without a system of routine house inspection, unlicensed and overcrowded buildings often go unnoticed by the civic authorities.*<sup>9</sup>

*In the older sections there is a high proportion of multi-family and rooming houses. Often these are overcrowded and inadequately equipped and maintained.*<sup>10</sup>

*Scarcely any of the worst houses are owner occupied (. . .). The absentee ownership of slum housing has, for the most part, been highly profitable business over the last 25 years.*<sup>11</sup>

*The great influx of people, and the rapid expansion of the urban area have brought on problems associated with overcrowding and poor construction.*<sup>12</sup>

*There are areas (. . .) of incipient decline where house conversion and overcrowding are common.*<sup>13</sup>

*With the recent growth however, there has been some overcrowding of rental accommodation, and some disorganized and substandard construction in the urban fringe.*<sup>14</sup>

*There are some overcrowded and deteriorating buildings in the downtown area, and some poor construction on the outskirts.*<sup>15</sup>

In the last two instances it was considered that the problem of blight was more crucial in the rural areas than it was in the cities.<sup>16</sup>

### THE AGE OF HOUSING STOCK

*The condition of Canada's housing is reflected also in its age. About 350,000 units, nearly 10% of the whole stock, are now over 75 years old and over half a million units are from 50 to 75 years old.*<sup>17</sup>

*The stock of housing is an aging and declining asset that requires constant attention to maintain its usefulness. By 1980, it will consist broadly of—*

*3½ million dwelling units up to 25 years old*

*1½ million dwelling units between 25 and 50 years old*

1) Canada, Census of Canada, 1951, Vol. III, Housing and Families (Ottawa: The Queen's Printer, 1953, Table 16.

2) Ibid., 1941, Vol. IX, Housing (Ottawa: The King's Printer, 1949), Tables 1 and 3.

3) Ibid., 1951, Vol. III, Housing and Families, Table 86.

4) Ontario, Department of Municipal Affairs, Community Planning Branch, A Better Place to Live, A Study on Minimum Standards of Occupancy and Maintenance of Dwellings, "Second Interim Report" (Toronto: 1961).

5) Ibid., p. 10.

6) Ibid., p. 20.

7) Ibid., p. 21.

8) Ibid., p. 47.

9) Ibid., p. 53.

10) Ibid., p. 60.

11) Ibid., p. 62.

12) Ibid., p. 99.

13) Ibid., p. 115.

14) Ibid., p. 88.

15) Ibid., p. 88.

16) Ibid., p. 89.

17) Central Mortgage and Housing Corporation, A Brief to the Royal Commission on Canada's Economic Prospects, "Housing and Urban Growth in Canada" (Ottawa: 1956), p. 9.



2.3 million dwelling units more than 50 years old.<sup>18</sup>

This observation was made in 1955 by Central Mortgage and Housing Corporation and indicates how large is the amount of old housing in Canada. Although the age of a house does not necessarily indicate its state of repair, it is one guide which should be closely regarded. Some houses simply outlive their usefulness either because of unsound structure and lack of repair or because they are not suited to contemporary living arrangements. This may cause an owner to move. The house may be rented and sublet to several households instead of one. Unless there is careful planning and proper conversion, the house may become overcrowded and the facilities outmoded. It should be recognized that not only will a certain percentage of this kind of housing be lost but that it should be demolished.

The renewal studies have referred to the problem of old dwellings and the following are examples where specific reference is made to its adverse effect.

#### ST. JOHN'S

*The older a section of a city is the greater is the likelihood that facilities such as houses, streets, services and amenities are out-dated and must be repaired. (. . .) The central area north of the harbour is now more than 80 years old. This means that most of the houses in this area were built before the demands of the twentieth century, demands in terms of automobiles, sufficient light and air, sanitary facilities, recreational facilities, and other matters were known. In addition, most of the buildings were constructed of wood, a material which requires considerable care and maintenance to remain satisfactory over such a length of time.*

*(. . .) Replacement of dwellings, which have become obsolete due to old age, has been sadly lacking in St. John's. Many buildings are now so old and deteriorated that they cannot be repaired for less than it would cost to replace them completely.<sup>19</sup>*

#### SYDNEY

*Obsolescence is attributable to aging and to gradual shifts in the use of land.<sup>20</sup>*

#### HALIFAX

*In all cities decay takes place most rapidly on the fringe of the centre. Halifax is no exception. Deterioration and overcrowding of worn-out houses, now interspersed with small businesses and industries, and unkempt vacant lots, are most evident in the ring along the western and northern edges of the city centre. Beyond the northern and southern edges there are streets bordered by various stages of obsolescence, some of them in a very bad state.<sup>21</sup>*

#### MONTREAL

*In the seventeen renewal areas there were 8,809 buildings eighty-two years old or more and 7,442 buildings fifty-four to eighty-two years of age. These two types of buildings by age comprised 83 per cent of the buildings in the total area under study.<sup>22</sup>*

*In each instance, much of the very old stock was, strictly speaking, unfit for habitation and contributing to the blighting of other properties.*

#### THE EVIDENCE

There is no question about whether or not blight exists in many Canadian communities. The evidence that it is present is obvious. The direct costs, the indirect costs, the social implications and the continual spread of further deterioration are all well known and are discussed in greater detail in the following chapter. To dismiss the problem as trivial is an admission of inability to see reality.

18) Ibid., p. 31.

19) City of St. John's, Newfoundland, Urban Renewal Study, A Study Prepared for the Municipal Council by Project Planning Associates, Ltd. (Toronto: Maclean Hunter Publishing Co. Ltd., 1961), p. 3.

20) City of Sydney, N.S., The Development of a City, A Report Prepared by H. Spence-Sales (Montreal: 1960), p. 4.

21) Gordon Stephenson, A Redevelopment Study of Halifax, Nova Scotia (Toronto: University of Toronto Press, 1957), p. 21.

22) City of Montreal, Comprehensive Urban Renewal Study, A Study Prepared for the City of Montreal by Economic Research Corporation Ltd. (Montreal: 1961), p. 65.

## CHAPTER IV

# RESIDENTIAL BLIGHT



*Three basic factors are involved in the cause and, hence, in the control of blight; namely, (1) the individual structure, (2) the environment, and (3) the residents themselves.<sup>1</sup>*

### UNDERLYING CAUSES

Just as the present housing shortage cannot be looked upon as something which has just happened in recent years, neither are poor housing conditions something of recent origin. The influences which have precipitated blight and slum conditions had their genesis thirty, forty or fifty years ago or even more in the older communities. Dr. A. E. Grauer, in his housing study of 1939, has identified some of the factors which have contributed to the problem:

*The housing problem in Canada arose in a period of swiftly increasing population, rapid urbanization and the expansion of the agricultural and mining frontiers. There were important movements of population and housing accommodation had to be rapidly provided for growing communities. The conditions of the time led to speculation by real estate and building promoters; there was no adequate planning by municipal and governmental authorities, and buildings were erected on the optimistic assumption that they would be replaced by more substantial structures in the future. The results are evident today in the over-developed services of particular urban and rural areas, the haphazard layout of most Canadian cities, the flimsily-built houses which have deteriorated much in advance of the normal life-span of properly constructed dwellings, and the small uncomfortable living quarters which are found in the rural communities of Western Canada and in mining towns.*

*Dominant in the situation has been the fact that many of the people for whom accommodation had to be provided possessed little capital. This was especially true of the European immigrants who poured into Western agricultural communities or urban centres after the turn of the 20th century. Their large number and extreme poverty meant that, in the cities, they have occupied badly-constructed or over-crowded houses charging low rentals.<sup>2</sup>*

The problem was further aggravated by the mobility of population, the temporary character of the dwellings and the uncertainty about the period of utility of the buildings. Emphasis was of course on productive enterprise and housing was merely incidental to it. The harmful effects, as pointed out by Dr. Grauer, remained. *The dominance of the pecuniary motive and the optimistic acceptance of a philosophy of expansion are sharply reflected in the Canadian housing problem.<sup>3</sup>* In these circumstances, blight commenced almost simultaneously with expansion.

*Speculative activity in combination with pressure of industrial firms seeking suitable locations in urban centres, prevented the enforcement of any effective town planning regulations. Proper schemes of zoning and the ambitious plans of early real estate companies broke down in the face of the dominant drive to secure maximum returns from real estate investments and to encourage further building as a means of broadening the tax base.<sup>4</sup>*

Some of the reasons for the inadequately constructed homes were as follows:

*Expanding urban communities provided an admirable field of activity for real estate and building speculation. Such speculation has led to many of the worst evils in urban housing. Inflated land values and assessment valuations based upon speculative prices resulted in the construction of unsatisfactory dwellings in suburban areas. At the same time, high rents in the downtown areas meant the crowding of two or more families in single residences as a means of reducing expenses. The results were an increased per capita cost of services for scattered residential districts, and the beginning of slum conditions in those central areas where congestion was most marked.<sup>4a</sup>*

Although in the 1930's there was an intelligent awareness of housing conditions and their depressing effect on communities, the burden of making far-reaching, fundamental innovations was so complex that it seemed insurmountable. However, progressive efforts were made but the extent of the shortage of dwellings and deteriorated premises was so great that: *The slow and hesitant recovery of residential construction in the four years before the commencement of the present war (World War II) did not raise the housing standard to any considerable degree, though it began to ease*

1) City of Vancouver, Vancouver Redevelopment Study, A Study Prepared by the City of Vancouver Planning Department for the Housing Research Committee (Vancouver: 1957), p. 61.

2) Canada, Royal Commission on Dominion-Provincial Relations, Housing, A Study Prepared by A. E. Grauer (Ottawa: 1939), pp. 31, 32.

3) Ibid., p. 32.

4) Ibid., p. 33.

4a) Ibid., p. 33.



*temporarily some of the pressures on the housing market.*<sup>5</sup>

#### THE PROPULSION AND COMPULSION OF DETERIORATION

Invariably the poor structure is the one which is most crowded. It deteriorates rapidly, but deterioration is not confined to the building itself. If there are numerous dwellings under the same handicap, the value of the area is depressed. As expressed by Dr. Grauer:

*Overcrowding means that large numbers of people live under unsanitary and undesirable conditions, a condition tending to the physical and moral deterioration of whole districts, that is, to slums. Even where the word slum is still not applicable, bad housing inevitably results in most undesirable social conditions.*<sup>6</sup>

Lower neighbourhood values are reflected in low assessments and hence a lower return in taxes while the demand for services, because of the number of people, increases. However, with decreasing revenues, many obvious and legitimate needs are unmet. As these unmet needs for service accumulate in terms of broken streets; bad drainage; back-yard dumps instead of frequent garbage collection; inadequate water, sewer and electric services; excessive traffic which is generated outside the area; air pollution; lack of open space; and intrusions of land use which are not compatible to a residential area, an environment is created which is not conducive either to community or individual initiative in improving one's own property.

This type of situation provokes those who have the means to find a new place of residence and accounts for a growing absentee ownership. But, the greatest loss is the loss of dignity and pride of the individual.

The following statement might be made about certain localities from one end of Canada to the other:

*Many of the people are now living in localities and under conditions that have stripped them of all their self-respect and pride.*<sup>7</sup>

When all hope is gone, the physical deterioration of the community is all-embracing and overpowering.

#### CHARACTERISTICS OF BLIGHT IN CANADA

The cities in older countries often have large defined areas which are known as slums. Generally, Canadian conditions are considered to be better and the areas of concentrated deterioration comparatively small. There are certain districts such as Regent Park and Moss Park in Toronto and the Jeanne Mance area in Montreal which because of their size have required

mass clearance. However, for the most part, blight in Canadian towns and cities is scattered.<sup>8</sup> Nevertheless these scattered pockets are of sufficient magnitude and of such evil portent for the future that they require immediate action.

The principal cities should not be assumed to be the only areas where there is blight. Small towns and rural communities also suffer from it. Single industry towns often lack a feeling of confidence in the future. This is reflected in the type of housing and in the reticence of home owners to invest in, rehabilitate or expand an inadequate dwelling. This attitude of insecurity is probably best expressed by the feelings engendered by such words as "If the mine should close (. . .)." "If I am transferred (. . .)." "When the mill closes (. . .)." "When I retire and have to move (. . .)." This lack of permanency works against effort and expense which could be appreciated and could be repaid on a long-term basis.

In farming operations, there is a struggle to hold the land and get the equipment to work it. Consequently, if there is a shortage of capital, shelter does not receive its proper consideration. If the land does not produce profitably, the dwelling is likely not only to remain inadequate but to decrease in its ability to provide service because of lack of maintenance and possible overcrowding.

Due to the mobility provided by good roads and the automobile, urban residents are able to move into rural areas. This usually commences with the building of a summer cottage and then winterizing it. Unless this type of development is closely controlled, it becomes an unserviced, urban cluster of crowded, undersized dwellings. This is a much more serious situation due to the proximity of the houses than the individual blighted farm houses which are far apart.

The Central Mortgage and Housing Corporation's brief to the Royal Commission on Canada's Economic Prospects, commenting on blighted residential districts, observed that:

*The greater part of deficient housing within the built-up areas is concentrated around the inner cores of cities and awaits a process of urban development.*<sup>9</sup>

*In 1951, of the 100,000 houses identified as substandard in major cities, the majority were immediately adjacent to the central business cores. In estimating the scale of urban development it has been assumed that between 1955 and 1980 most of these substandard housing units would be replaced. A larger number of these were originally*

5) Canada, Report of the Advisory Committee on Reconstruction, Vol. IV, Housing and Community Planning (Ottawa: The King's Printer, 1944), p. 35.

6) Royal Commission on Dominion-Provincial Relations, op. cit., p. 49.

7) Harold J. Sullivan, Chairman of the Board of Assessors, St. John, N.B., Report to the Common Council, April 20, 1942.

8) Many of the recent Canadian urban renewal reports have shown that urban renewal problems in Canadian cities are quite commonly of the fragmental type. That is, they consist substantially of a lot of little fragments of renewal requirements rather than large continuous areas of slum housing. W. Slater, "The Economic Remedies for City Ills", Community Planning Review, Vol. XI, No. 3, pp. 19, 20.

9) Central Mortgage and Housing Corporation, op. cit., p. 9.

single family houses of miscellaneous sizes, many of them subsequently converted to multiple uses. The land is subdivided into relatively small lots which do not easily lend themselves to the construction of apartment or row houses of presently acceptable standards. Replacement on individual lots, building by building, proves generally unsatisfactory. It is not likely to occur in sufficient quantity and the incompatibility of adjacent buildings may only perpetuate the condition of blight.<sup>10</sup>

Planning studies across Canada have shown the degree to which blight has already fastened itself upon various cities.

#### ST. JOHN'S, NEWFOUNDLAND; SYDNEY, NOVA SCOTIA; MONCTON, NEW BRUNSWICK

In St. John's, Newfoundland, 51.7 per cent of the households are living in dwellings which are classified as less than good.<sup>11</sup> In Sydney, Nova Scotia, it is considered that 25 per cent of the residential pattern is "obsolete" or near to "obsolescence".<sup>12</sup> Although much of the deterioration is around "the industrial core" it is also scattered.<sup>13</sup> *Some substandard conditions except in one or two localities are of such an order that however skilfully and vigorously occupancy standards may be imposed further decay is inevitable.*<sup>14</sup> One hundred and seventy-four or 86 per cent of the total buildings are in an advanced state of dilapidation.<sup>15</sup> To rehouse families now living in unsanitary, dilapidated and overcrowded premises in Moncton, New Brunswick in 1958, it would have required 500 new dwellings.<sup>16</sup> Many of the obsolete houses were found to be in the heart of the City.

#### HALIFAX, NOVA SCOTIA

The Census of 1941 showed 3,527 crowded households and by 1951 the number had increased to 4,510 or almost 28 per cent. Without a program to build for at least a half or more of the "continuously increasing population", deterioration and overcrowding will take place in buildings which are now new and old ones which are presently relatively sound. Some of the existing cheap houses now sprawled on rocky land will cost \$5000 to \$6000 per house to service.<sup>17</sup>

In certain areas a zoning by-law has permitted the intrusion of non-residential uses in such a manner that *there are now only bits and pieces left for housing (. . . ). In regard to blocks designated for residential use there should be protection as rigorous as that applied in the western [newer] parts of the City.*<sup>18</sup>

#### ST. JOHN, NEW BRUNSWICK

The situation in St. John, N.B. had become so acute in 1957 that only, 1000 out of 13,000 dwelling units were classified as "good".<sup>19</sup> It was estimated that 4,000 required demolition.<sup>20</sup> Many of the remaining 8,000 could be saved by rehabilitation but if no improvements were made these too would deteriorate to the point that they would require replacement.<sup>21</sup>

#### MONTREAL, PROVINCE OF QUEBEC

In Montreal there are 3,358 acres affected by blight of which 1,600 acres will have to be acquired and cleared.<sup>22</sup> The blighted area covers 11.2 per cent of the total area of the city: it contains blighted buildings and slums which are equivalent in number to 14.9 per cent of all the buildings in the city and provides inadequate shelter for 116,445 people.<sup>23</sup>

#### SAULT STE. MARIE, ONTARIO

In contrast to Montreal in size and location is the Sault Ste. Marie and Suburban Planning Area in Northern Ontario. Here again is evidence of blight. A survey showed that 55 per cent of the structures were classified as less than "good".<sup>24</sup>

#### KINGSTON, ONTARIO

The survey for the historic city of Kingston shows that *there are many houses which are overcrowded, seriously lacking in sanitary facilities, dangerously exposed to fire hazards or in a state of disrepair.*<sup>25</sup> To underline the wretchedness of these conditions, the report adds: *Some houses suffer all these deficiencies.*<sup>26</sup>

It was also observed that overzoning for commercial uses permitted marginal business to be established adjoining but outside the main business district on lower-priced, residential properties.<sup>27</sup> As a result of the commercial intrusion, good residential areas were neglected and new development did not rejuvenate the declining older part of the central business district. In a survey of 2,849 dwelling units, only 979 were given the top rating of "good".<sup>28</sup>

As is the case in many other cities, *In Kingston there is bad housing scattered in small pockets over a wide area.*<sup>29</sup>

19) City of St. John, N.B., Urban Renewal Study (Toronto: Garden City Press Co-operative Ltd., 1957), p. 13.

20) Ibid.

21) Ibid.

22) City of Montreal, Comprehensive Urban Renewal Study, A Study Prepared for the City of Montreal by Economic Research Corporation Ltd. (Montreal: 1961), pp. 10, 190.

23) Ibid., p. 196.

24) City of Sault Ste. Marie, A Twenty Year Urban Renewal Programme 1960-1980, A Report Prepared by E. G. Faludi and Associates, Town Planning Consultants Ltd., for The City of Sault Ste. Marie and Suburban Planning Board (Toronto: 1960).

25) City of Kingston, A Planning Study of Kingston, Ontario, 1960, A Report Prepared for the City Council by Gordon Stephenson and George Muirhead (Kingston: Jackson Press, 1960), p. 30.

26) Ibid.

27) Ibid., p. 33.

28) Ibid., p. 60.

29) Ibid., p. 64.

10) Ibid., pp. 30, 31.

11) City of St. John's, Newfoundland, Urban Renewal Study, A Study Prepared for the Municipal Council by Project Planning Associates, Ltd. (Toronto: MacLean-Hunter Publishing Co. Limited), p. 4.

12) City of Sydney, N.S., The Development of a City, A Report Prepared by H. Spence-Sales (Montreal: 1960), p. 8.

13) Ibid., pp. 2, 8.

14) Ibid., p. 30.

15) Ibid., p. 57.

16) City of Moncton, N.B., Moncton Renewed, A Report Prepared for The Housing Committee of the City of Moncton, December, 1958.

17) Gordon Stephenson, A Redevelopment Study of Halifax, Nova Scotia (Toronto: University of Toronto Press, 1957), pp. 22, 23.

18) Ibid., p. 54.



## HAMILTON, ONTARIO

The City of Hamilton has pockets of substandard housing and the poor areas are in the oldest sections of the City where it is to be expected that the worst conditions would prevail.<sup>30</sup> In a city-wide survey of age and external conditions of all buildings, 22 per cent were rated as "fair to poor".<sup>31</sup>

## LONDON, ONTARIO

London has no blocks which are rated poor in their entirety.<sup>32</sup> There are isolated poor houses and the occasional pockets of poor houses (. . .). Housing is poorest when it is adjacent to a railway or industrial use.<sup>33</sup>

## WINDSOR, ONTARIO

Windsor, Ontario, is another example of deterioration in the central part of the city. The Urban Renewal Report reads as follows:

*(. . .) the central parts of the City, residential, commercial, and industrial, are declining and give little incentive for improvement, 1,800 acres can be considered to be declining and 300 acres blighted. Of over 25,000 structures, 13.3% are vulnerable to blight; 3% are partly blighted and 9.7% completely blighted.*<sup>34</sup>

## WINNIPEG, MANITOBA

Over-zoning for industry has accelerated blight in certain sections of Winnipeg just as over-zoning for commercial uses accelerated blight in Kingston.<sup>35</sup> Deterioration has resulted in 143 acres being considered suitable only for acquisition and clearance.<sup>36</sup> Overcrowding has been one of the significant factors.<sup>37</sup>

The differences in slums in various parts of Canada are noted in the observation of the Winnipeg report:

*These slums are typically Western slums and quite different from similarly depressed areas in European or Eastern Canadian Cities. In such cities, overconcentration of population, age, lack of trees, and lack of air and sunshine are the worst physical features. Here, on the other hand, the worst feature is the very apparent temporariness of the structure obviously built in a pioneer period*

*to provide shelter, but often without any knowledge on the part of the builder of local soil conditions or of the effect of severe climate on structure. This feature is particularly bad where it combines with the influx of industrial land use scattered here and there throughout the area, forming centres of nuisance and creating odd contrasts in the scale and character of the buildings. Another characteristic of the area is the backyards. The accretion here of boxes, shacks, makeshift garages and all sorts of debris is a most hazardous and demoralizing sign of "I don't care any more" disorder. In some areas, in fact, the lots are so overbuilt with additions that [the lack of] light and air are beginning to become a problem.*<sup>38</sup>

However, the bright prairie air camouflages the slums from their bleak misery. The atmospheric conditions of Eastern Cities seem to cover everything in a grey, depressive coat, while in the clear air of the West and under the trees of boulevard streets—which do not exist in Eastern slums—even dilapidation seems to have a brightness in which conditions of mouldy civilization appear only as a slow return to nature.<sup>39</sup>

In one study area, 34 per cent of the dwellings were dilapidated and in need of major repair, 60 per cent were fair but required minor repair, and only 6 per cent were rated as excellent.<sup>40</sup> In addition 70 per cent of the families did not have exclusive use of plumbing facilities.<sup>41</sup>

## REGINA, SASKATCHEWAN

Regina is an example of an accelerated population increase before the existing residences were fully serviced. The population rose by 30,000 in ten years rather than by 20,000 in thirty years as anticipated and one dwelling unit in seven in 1957 was classified as "non-modern".<sup>42</sup> The problem is portrayed by an excerpt from the City of Regina Annual Health Report 1956 which states:

*There are far too many buildings occupied as dwellings which should be demolished. There are far too many families housed in trailers. There are far too many dwellings in the City of Regina which are not served by sewer and water.*

Having regard to such conditions, it is understandable that 66 per cent of the dwellings were rated as less than "good".<sup>43</sup>

## TRAIL, BRITISH COLUMBIA

In Trail, British Columbia, 1,281 units out of a total of all types of buildings of 3,076 were rated as

30) City of Hamilton, Urban Renewal Study 1958, A Report Submitted to the Board of Control of the City of Hamilton, February 1959, p. 16.

31) Ibid.

32) City of London, Ontario, Urban Renewal—A plan for Development and Redevelopment 1960-1980 (London: 1960), p. 15.

33) Ibid.

34) City of Windsor, Ontario, A Fifteen Year Programme for the Urban Renewal of the City of Windsor and its Metropolitan Area 1959 (abbrev. ed.), A Report Prepared by E. G. Faludi and Associates, Town Planning Consultants Ltd. (Toronto: 1959), p. 13.

35) City of Winnipeg, An Urban Renewal Study for the City of Winnipeg, The CPR-Notre Dame Area, A Study Prepared by W. Gerson at the Planning Research Centre, School of Architecture, University of Manitoba, Sponsored by Central Mortgage and Housing Corporation and the City of Winnipeg, p. 29.

City of Kingston, op. cit., p. 33.

36) City of Winnipeg, op. cit., p. 57.

37) City of Winnipeg, op. cit., p. 1.

38) Ibid., p. 30.

39) Ibid., p. 31.

40) City of Winnipeg, Housing Survey of Central Area of Winnipeg, A Report Prepared by William Courage, General Supervisor, City of Winnipeg Emergency Housing Department (Winnipeg: 1955), pp. 41, 64, 90.

41) Ibid., p. 29.

42) City of Regina, Housing Survey Report, A Report Prepared by the Regina Planning Department (Regina: 1957), p. 23.

43) Ibid.



"good" and the remainder were placed in inferior categories.<sup>44</sup> A survey of the single dwellings showed that 57 per cent were rated as less than "good".<sup>45</sup>

#### VANCOUVER, BRITISH COLUMBIA

Resulting from the Vancouver survey, it was estimated that there were 713 acres which were in need of clearance.<sup>46</sup> Some of the factors identified which contributed to the scattered blight were:—

- a) *some derelict property*
- b) *some obnoxious industrial or commercial use*
- c) *excessive crowding of structures*
- d) *unsatisfactory subdivision pattern or topographical feature*
- e) *conversion to multiple occupancy*
- f) *lack of basic neighbourhood facilities—schools, parks, playgrounds, etc.*<sup>47</sup>

The East End Survey of 1,852 dwelling units revealed that in 52 per cent of the buildings, sanitary facilities were shared, 32 per cent were in a "poor" or "very poor" state of repair, 60 per cent were substandard and 15 per cent were overcrowded.<sup>48</sup> In a survey of the entire study area of 20,191 dwelling structures, 61 per cent were rated as less than "good".<sup>49</sup>

#### VICTORIA, BRITISH COLUMBIA

*Although there are small scattered pockets of blight in many parts of the City, the main concentration is found in a crescent around downtown.*<sup>50</sup>

The Urban Renewal Study for Victoria found also that 25 per cent of all residential buildings were in poor or very poor condition, and 40 per cent of the conversions were in the same category. Assessments of \$2,200 or less applied to 10 per cent of the residential buildings and 83 per cent of this group were in poor or very poor condition.<sup>51</sup>

#### THE DIRECT COSTS

*Blight is contagious. When it is found only in a few isolated structures, it can be cured quickly and easily; when it infects a whole district, it begins to threaten the economic base of the entire city and only the most drastic and expensive remedies will suffice. Chicago found that it costs \$150,000,000*

44) City of Trail, B.C., A Study for Urban Renewal in Trail, B.C., A Study Prepared for the City Council by H. Peter Oberlander and R. J. Cave (Trail: 1959), p. 26.

45) Ibid.

46) City of Vancouver, Vancouver Redevelopment Study, A Study Prepared by the City of Vancouver Planning Department for the Housing Research Committee (Vancouver: 1957), p. 55.

47) Ibid., p. 4.

48) Ibid.

49) Ibid., p. 24.

50) Capital Region Planning Board of British Columbia, Urban Renewal Study for Victoria (Victoria: The Morris Printing Company Ltd., 1961), p. 7.

51) Ibid., pp. 7, 8.

*per square mile to clear a blighted section completely and Chicago has 20 square miles of blight! Pittsburgh which also neglected the problem until it became acute, has had to budget \$100,000,000 to initiate a comprehensive scheme of clearance and reconstruction.*<sup>52</sup>

In reviewing the direct costs of removing blight—which amounts to acquisition of the land and clearance by a public authority—it should be kept in mind that the valuations may change over a period of years. If any regard is given to the cost of alternative accommodation for owners of dwellings which are expropriated, then the costs of acquisition will increase as the costs of alternate accommodation increases.

The following examples illustrate something of the probable cost of removal of blight in some of the well-known cities across Canada where surveys have been made.

#### ST. JOHN'S, NEWFOUNDLAND

Although no specific costs are given in terms of clearance for St. John's, Newfoundland, the report states that 11 per cent or 1,596 units should be replaced because they are beyond repair. Another 13 per cent, 1,988 units, are in need of major repairs, and will probably have to be replaced within the next twenty years.<sup>53</sup> In addition, many of the properties are lacking in full sanitary services and their installation would be quite expensive.

#### HALIFAX, NOVA SCOTIA

The total number of persons to be rehoused was estimated to be 7,000 in 1957.<sup>54</sup>

#### SYDNEY, NOVA SCOTIA

In Sydney, N.S., 360 families occupy 287 substandard obsolete dwellings.<sup>55</sup> Five hundred and ten acres are rated as "poor" or "bad" and 48.5 acres have been recommended for clearance.<sup>56</sup>

#### MONCTON, NEW BRUNSWICK

Five hundred homes should be replaced.<sup>57</sup>

#### ST. JOHN, NEW BRUNSWICK

At least 4,000 homes should be replaced and re-development costs are calculated at \$80,000 per acre.<sup>58</sup>

#### MONTREAL, PROVINCE OF QUEBEC

There are 3,358 acres affected by blight in Montreal of which it is recommended that 1,600 acres be acquired and cleared. The gross cost is estimated at \$563,000,000 for the 1,600 acres.<sup>59</sup>

52) City of Vancouver, op. cit., p. 1.

53) City of St. John's op. cit., p. 14.

54) Stephenson, op. cit., p. 58.

55) City of Sydney, op. cit., p. 57.

56) Ibid., pp. 14, 51.

57) City of Moncton, op. cit.

58) City of St. John, op. cit., pp. 13, 73.

59) City of Montreal, op. cit., pp. 10, 11.

## SAULT STE. MARIE, ONTARIO

Clearance and rebuilding of the central urban core should be effected on 470 acres.<sup>60</sup>

## KINGSTON, ONTARIO

Three hundred and twenty-two buildings were rated as "poor" or "bad".<sup>61</sup>

## HAMILTON, ONTARIO

There are 12,362 buildings rated as "fair to poor".<sup>62</sup>

## WINDSOR, ONTARIO

Three hundred acres are considered to be blighted and 134.5 acres are recommended for clearance.<sup>63</sup> The net cost is estimated to be \$13,842,000 for the net clearance acreage.<sup>64</sup>

## WINNIPEG, MANITOBA

It is recommended that 143.23 acres be acquired and cleared at an estimated cost of \$17,828,040 for the total area.<sup>65</sup>

## REGINA, SASKATCHEWAN

There were 1,891 structures rated as "bad" or "very bad".<sup>66</sup>

## TRAIL, BRITISH COLUMBIA

The cost of acquisition of land for clearance, and the realignments of the highway and railroad would come to \$975,000 for the total redevelopment.<sup>67</sup>

## VANCOUVER, BRITISH COLUMBIA

The gross costs of the acquisition and clearance of the area to be redeveloped would amount to \$74,900,000 which includes a figure of \$2,600,000 for demolition or \$300 per structure.<sup>68</sup>

## FEDERAL GRANTS PAID

The acquisition and clearance costs for 149.6 acres for seven urban renewal projects in five cities—Halifax, Montreal, Toronto, St. John's and Windsor, Ontario—have amounted to \$26,143,772 of which one half or \$13,021,886 has been paid by the Federal Government.<sup>69</sup>

## THE INDIRECT COSTS OF BLIGHT

*Bad housing conditions, particularly where a whole area is affected, become a serious social problem with indirect costs that must be paid by the tax-payer. The social results are seen in the health, morality, employability and general attitude of the occupants of these houses. The physical conditions of the dwellings, overcrowding, lack of fresh air and sunlight, inadequate water and sanitary conveniences, improper facilities for food storage, dampness, vermin and filth, result in a high rate of tuberculosis, infant mortality and illness from infectious diseases. In combination with a bad residential environment, such conditions conduce to juvenile delinquency, vice, crime and the demoralization of family life. In an analysis of social conditions of a slum area in Cleveland, carried out by the Metropolitan Housing Authority, it was found that while this area contained only 2.5% of the city's population, it contributed 21.3% of its murders, 26.3% of its houses of prostitution, 68% of its delinquent boys, 10.4% of its illegitimate births, and 12.5% of its tuberculosis deaths. The evidence from surveys of Canadian cities suggests that there is a somewhat corresponding situation here.<sup>70</sup>*

Dr. Grauer's statement concerning the indirect costs of bad housing is one which was supported by contemporary studies of the 1930's and surveys of a recent date.

When the existing housing is in short supply or if it is of marginal quality then overcrowding will hasten its dilapidation and eventually the structure will be useless. If the occupants cannot find alternate accommodation because of lack of means, ultimately some public authority will have to supply it and at some public cost.

## PRE-WAR AND WAR YEARS SURVEYS

The earlier studies indicate that much of the housing was exploited and this abetted the problem. The Halifax survey of 1932 showed that people were crowded into unequipped, condemned or near-condemned houses. The overcrowding resulted in many buildings being termed unfit for hygienic occupancy and thereby constituted a continual health problem.<sup>71</sup>

Investigations in Montreal from 1935 to 1938 showed constant overcrowding, deterioration and a poor state of repair for many dwellings, all of which were a constant threat to good health.<sup>72</sup>

70) Royal Commission on Dominion-Provincial Relations, op. cit., pp. 49, 50.

71) A Report of the Citizens' Committee on Housing (Halifax: 1932).

72) Report on Housing and Slum Clearance by a Joint Committee of the Montreal Board of Trade and the City Improvement League (Montreal: 1935).

A Report on Housing Conditions based on a Survey undertaken by the Department of Planning and Research of the Montreal Metropolitan Commission (preliminary survey) (Montreal: 1958).

60) City of Sault Ste. Marie, op. cit.

61) City of Kingston, op. cit., p. 60.

62) City of Hamilton, op. cit., p. 15.

63) City of Windsor, op. cit., pp. 13, 22.

64) Ibid., p. 22.

65) City of Winnipeg, An Urban Renewal Study for the City of Winnipeg, op. cit., pp. 58, 59.

66) City of Regina, op. cit., p. 72.

67) City of Trail, op. cit., p. 67.

68) City of Vancouver, op. cit., pp. 105, 106.

69) Central Mortgage and Housing Corporation, Ottawa.



Many of the persons on relief in Ottawa in 1935 were in overcrowded dwellings in poor repair, poorly heated, poorly lighted and with very inadequate bathing and toilet facilities.<sup>73</sup>

In Toronto in 1934, the rate of tuberculosis in the poor housing areas was 37 per 10,000 contrasted to 25 per 10,000 in the good housing districts. On the same basis of comparison, the infant mortality was 63.4 per 1,000 living births in poor areas compared to 58.3 in the good areas. Three poor districts provided 43 per cent of the juvenile court cases in 1933 and more than 52 per cent of the repeaters. Many of the houses in the poor districts were verminous, damp, without baths and with unsatisfactory toilets.<sup>74</sup>

The Hamilton survey undertaken by the Council of Social Agencies in 1932 showed much evidence of overcrowding and undesirable living conditions.

The Winnipeg Health Department, in a selected survey in 1934, found that there was "more wear and tear" on the premises which were overcrowded. Children appeared to suffer most and communicable diseases were most difficult to control under such circumstances.<sup>75</sup>

The Health Department of Calgary in 1929 also reported cases of severe overcrowding.<sup>76</sup>

With the advent of World War II, reports in the early 1940's from Halifax, St. John, Quebec, Toronto, Hamilton, Brantford, Winnipeg, Edmonton, Calgary and Vancouver indicated that there was extreme overcrowding and a worse condition than in the 1930's. Office buildings, stores, factories, garages, boats and boathouses had been added to the list of temporary conversion. Each report emphasizes the adverse living conditions, the harm to children and the potential hazards to health.<sup>77</sup>

#### POST WAR SURVEYS

The more recent planning studies still express concern about the indirect effect of poor living conditions. In St. John's, there is overcrowding by those in the lower income brackets. *Health, social and economic conditions are adversely affected as a result of such a situation.*<sup>78</sup> The lack of water and sewerage facilities constitutes a *potential danger to the population.*<sup>79</sup>

*In Halifax the Study has confirmed the findings of previous committees and reports concerned with housing in Halifax. For the past sixty years they have shed light on the problems and have made recommendations. In that period the conditions of dwellings in the Study Area must have*

*worsened in general terms, and there has been no concerted scheme for clearance and rehousing.*<sup>80</sup>

The cost of city services to the Study Area is evident from the experience of the Fire Department. Almost half of the fires for the City in a six year period were from the area investigated. Thirty-three people died from burning and suffocation and 24 of these were in the Study Area.<sup>81</sup> In addition it would appear that 60 to 70 per cent of the crimes committed took place in the centre of the City and the adjoining residential districts.<sup>82</sup>

The Kingston study observed the evidence of crime and fires and the shabby appearance of dwellings in the blighted areas.<sup>83</sup>

In Hamilton it was found that the study area in the oldest portion of the city had 38 per cent of all juvenile delinquency, 43 per cent of all fires, most of the persons who were on relief, a high accident rate, the highest density and lacked open space.<sup>84</sup>

Due to age, obsolescence and conditions of the buildings, most of the fires in London are in the central area. Most of the social problems are also in the centre of the city. *It is here that the poorest people live in the oldest and most inadequate housing (. . . ).*<sup>85</sup> The report adds:

*The lack of adequate housing for lower income families is reflected in social problems. It can be seen that delinquency and drunkenness develop to an unusual degree where there is an unsatisfactory home environment with no privacy and no opportunity for satisfactory family life.*<sup>86</sup>

The Victoria study observed that *an old house of poor condition tends to have a low assessment, to be more susceptible to fires, to have a poorly kept garden and to be on a poorly maintained street near a disturbing non-residential operation. Areas of such houses deteriorate more rapidly than relatively sound districts.*<sup>87</sup> There were 2,000 houses more than fifty years old and only 10 per cent were of good quality. Persons receiving welfare assistance lived in 11 per cent of the residential buildings and 40 per cent of these buildings were in poor or very poor condition. However 80 per cent of the residential buildings including 40 per cent of the buildings in very poor condition had well-kept gardens.<sup>88</sup>

The Vancouver study found that 5 per cent of the population of the city lived in the Comprehensive Redevelopment Area. Within this group were 14 per cent of all the people in the city who received Old Age Assistance and 20 per cent of all the families on Social

73) Report on Relief Housing Conditions by the National Construction Council of Canada, the Ottawa Welfare Board and the Ottawa Town Planning Commission (Ottawa: 1935).

74) Report of the Lieutenant Governor's Committee on Housing Conditions (Bruce Report) (Toronto: 1934), chap. ii.

75) Report on a Housing Survey of Certain Selected Districts, by the Health Department of the City of Winnipeg (Winnipeg: 1934).

76) Calgary, City Health Department, Survey of Ninety-One Families of Households (Calgary: 1929).

77) Advisory Committee on Reconstruction, op. cit., pp. 243-247.

78) City of St. John's, op. cit., p. 4.

79) Ibid., p. 7.

80) Stephenson, op. cit., p. 54.

81) Ibid., p. 44.

82) Ibid., p. 40.

83) City of Kingston, op. cit., parts VI and VII.

84) City of Hamilton, op. cit., p. 19.

85) City of London, op. cit., p. 18.

86) Ibid.

87) Capital Region Planning Board of British Columbia, op. cit., p. 7.

88) Ibid., pp. 7, 8.



Assistance. The incidence of tuberculosis for the city was 231 per 100,000 but in the Redevelopment Area it was 642 persons per 100,000 people.<sup>89</sup>

In conclusion, the observation from the Vancouver report sums up the human tragedy of blight:

*The physical symptoms of blight may be more obvious; the human consequences, in loss of well-being and self respect, may be more disastrous and in the long run more expensive.*<sup>90</sup>

And Dr. Leonard C. Marsh calculates the real costs of blight in these striking words:

*The biggest cost of the slum to society is apathetic, dreary living, which is a menace to every aspect of healthy citizenship.*<sup>91</sup>

No community should feel that without effort it can control or reduce blight. No community should feel that it is impervious to the all-pervading growth of such a disease. Above all, responsibility must be exercised to protect what is good, and to insure that present and future action does not destroy the community in the process of its own development. This is why comprehensive community planning is essential.

As an illustration of this need, columnist Jim Bishop gives his impression of an American city which was vibrant and thriving in better days. It still has wealth and strength but it is declining and losing its people, its beauty, and its attractiveness. This is an example of what should not be allowed to repeat itself:

*This city, only a handful of years ago, was one of the most progressive in the East (. . .).*

*In the decade after the turn of the century, the population of Newark jumped 41 per cent. In the last decade, it dropped from 438,000 to 405,000 and is still falling. Why? (. . .)*

*What happened to Newark is worth time and study by any municipal planning committee. As a complex of industries, it is thriving. Its dollar volume is high. So is the decay.*

*In the 1920's, the intersection of Broad and Market streets carried more traffic each day than*

*Times Square, New York. Today, at Broad and Market street, one can barely see the sun at high noon. The neon signs of the shops appear to be extra bright because the city is covered with soot. Once there were beautiful homes on High Street and around Weequahic Park and up in the Roseville section.*

*Today, some are boarded up, some are rooming houses, many of them need something to cover the cracked paint on sagging porches. The Iron-bound section was always the poorest. It also had the liveliest crime rate. It squats peeling in its own stench, beside the Passaic River.*

*The dumps on the east side are exposed. It is unfortunate that the only glimpse millions of transients get of Newark, are the dumps, the rats, and the concomitant assault in the nose and eyes. It makes no friends for the city, and any municipality which deliberately exposes its worst side to visitors is remiss in the field of public relations as well as cleanliness.*

*Once the area around Newark Bay had many picnic grounds and boating facilities. The water became unsafe for bathing in 1920 and has become worse. This is also true of all the inner harbour waters in the New York area. All the old picnic grounds and the old German schentzens are gone.*

.....  
*(. . .) I asked what had happened to the rich families. Almost all of them have moved out to the Oranges, to Montclair, to Short Hills.*  
.....

*Still, municipal cleanliness is not a matter of one era or another. It is a timeless compulsion, like personal cleanliness. Newark, N.J. was once a beautiful city. It can be again, but what it needs first is a lot of community outrage.*<sup>92</sup>

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<sup>89</sup>) City of Vancouver, op. cit., p. 7.

<sup>90</sup>) Ibid.

<sup>91</sup>) Leonard C. Marsh, *Rebuilding a Neighbourhood* (Vancouver: University of British Columbia, 1950), p. 23.

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<sup>92</sup>) The Telegram, Toronto, October 21, 1961, "Jim Bishop is sad about Newark".

## PART II

# EFFORTS TO OVERCOME RESIDENTIAL BLIGHT

Regulations of structure or of conditions within the structure has taken place for many years. Unfortunately in many instances, the regulations have only been effected long after the problem has been identified or after there has been a general public acceptance or demand for a higher standard. After specific conditions of poor housing have been identified and investigated, existing regulations are not enforced. Over the centuries people who are concerned with housing conditions find similarities in problems, investigations and reports. Too often, even the same areas will continue to fester in their filth and breed disease and iniquity decade after decade and generation after generation. Nonetheless, improvements have been made. Little by little, regulations have been bolstered to meet contemporary conditions and society from time to time has been made aware of the magnitude of the problem, its cost and the resulting human misery.

In 1756, Isaac Ware observed that in building upon land there should be regard for *the convenience of the inhabitants, and the beauty and proportions of the fabrick* and that *neither should be considered independently of the other* as one would be bound to be sacrificed *and this, which would be very disagreeable, is never absolutely necessary*.<sup>1</sup>

Health, however, has been the basic factor in bringing about improvements in the proportion of land to buildings and the standards of occupancy. Programs of environmental sanitation or environmental health continue to be of great importance. In commenting on environmental sanitation in 1939, Dr. A. E. Grauer said that:

This aspect of public health is directed to the control of the physical environment by

- a. *providing and protecting a safe water supply*
- b. *protecting against communicable diseases through the safe disposal of garbage, trade waste and body waste and through the removal of dirt; attending to community cleanliness for aesthetic purposes (indirectly a health factor).*
- c. *town planning, which has been defined as the planning of a stable, well balanced physical structure, so designed as to secure health, safety, amenity, order and convenience and generally to promote human welfare. Some phases considered are the location of industries and the housing arrangements for the employee; housing in relation to attractiveness of surroundings and density of population; space for recreation; zoning to accommodate various needs; maintenance of ample space for light and air about buildings.*
- d. *requiring suitable plumbing construction in buildings for the safe collection and removal of liquid and related wastes; and inspection to protect against faults menacing health.*
- e. *making regulations for housing, assuring safe construction, suitable lighting, heating and ventilation and the prevention of overcrowding.*<sup>2</sup>

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1) Isaac Ware, *The Whole Duty of Architecture*, 1756, quoted in G. Graham Don, "The Extent of Building Control", *Minimum Housing Standards*, Advance Copy of a Paper Presented at the Sessional Meeting at Caxton Hall, Westminster, October 12, 1960 (London: Royal Society of Health, 1960), p. 6.

2) Canada, Royal Commission on Dominion-Provincial Relations, *Public Health, A Study Prepared by A. E. Grauer* (Ottawa: 1939), pp. 104, 105.

A recent comment on environmental health is found in The Halifax Housing Survey which reads as follows:

*Environmental health is that phase of health concerned with the condition of dwellings and surroundings in which people live and work, and covers such features as utilities, air pollution control, vector control, inspection of subdivisions and review of trailer park designs. An active environmental health program is an essential component of a sound planning scheme and its adequacy will reflect on the efficiency of regulations such as lot size and trailer park standards.*<sup>3</sup>

#### ORIGIN OF INTEREST

The countries under review have been arbitrarily limited to England, United States and Canada. In all three countries there are similarities concerning the action, which came about in improving housing conditions. In each of the countries, there was one person whose outstanding devotion and energy were a great influence in bringing about badly needed improvements. These men were Chadwick in England, Veiller in the United States, and Bryce in Canada by reason of his work in Ontario.

In order to appreciate the evolution of legislation concerning housing conditions in each country, it is of interest to note the type of problem which was met, in the early years, by government regulations.

#### ENGLAND

In England, the London Building Act of 1667 was concerned with hazards from fire and from the danger of houses falling down.<sup>4</sup> Richard Mead who lived from 1673-1754 did much to promote the need for cleanliness and condemned the practices used at that time for infected houses.<sup>5</sup> John Howard effectively drew to the attention of the public and the authorities the appalling conditions of hygiene and sanitation in jails, from the time of his appointment as High Sheriff of Bedfordshire in 1773 until his death in 1790.<sup>6</sup> However, it was Edwin Chadwick who recognized the deteriorating and demoralizing housing conditions which commenced with the rapid growth of towns and their industrialization in the latter part of the eighteenth century. Following the publication of his Sanitary Report of 1842, concern for housing conditions has been based upon considerations of health and sanitation right up to the present time.

#### UNITED STATES

As New York is one of the oldest and most strategic cities in the United States, its history of housing conditions is perhaps the most relevant of any place in that country. As early as 1664, there was an unsuccessful attempt to zone against stills and tanneries in residential areas.<sup>7</sup> Ten years later, measures were taken to prevent the filth caused by herds of cattle and hogs in the streets.<sup>8</sup> Although there was an order for more fire-resistant construction in 1761, there were several plagues and epidemics during the eighteenth century which focused attention on housing conditions from the point of view of public health.<sup>9</sup> The legislation which has followed has arisen from a recognition of the importance of public health. As an example of the wide scope of the meaning of the term in recent times, Ira V. Hiscock describes the functions of a municipal sanitation agency as follows:

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3) "Environmental Health", The Halifax Housing Survey, A Joint Venture of the Federal, Provincial, City of Halifax, City of Dartmouth, and the Municipality of the County of Halifax Governments (2nd ed.) 1961, p. 3.

4) Ibid.

5) Andrew Balfour and Henry Harold Scott, Health Problems of the Empire, Vol. V of The British Empire ed. Hugh Gunn (12 vols; London: W. Collins Sons and Co. Ltd., 1924), p. 70.

6) "John Howard", Everyman's Encyclopedia, Vol. VII, 3rd ed.

7) George Herbert Gray, Housing and Citizenship (New York: Reinhold Publishing Company, 1946), p. 7.

8) Ibid.

9) Ibid.



*The principal functions of a division or bureau of sanitation in a health department concern such problems of municipal sanitation as city planning, supervision of water supply, sewage disposal, housing, sanitation of public buildings and industrial establishments (including lighting, heating, and ventilation), swimming pools and bathing beaches, barber shops, and fly, mosquito and rodent control.*<sup>10</sup>

## CANADA

There was considerable authority for sanitary control under the French regime in Canada, with particular reference to hygienic methods of keeping food.<sup>11</sup> Undoubtedly, this had some salutary effect on housing conditions.

In his book, "Canadians in the Making", Dr. A. R. M. Lower, with reference to data from *Recherches Historiques*, has described living conditions in New France about 1700. Heating was mostly by fireplace although as early as 1693 stoves were mentioned. However, *after the Forges de St. Maurice were opened in 1733, stoves became common.*<sup>12</sup> Glass windows for houses in Montreal and Quebec were evident as early as 1689, and they were used in most town houses throughout the eighteenth century. Farmers, however, were using paper in their windows as late as 1749 and even by the end of the century, there were few pioneers in Upper Canada who had glass windows.<sup>13</sup>

In an effort to combat fires, the City of Montreal had the wooden roofs of the houses covered with tin. Because of the luminous appearance of the town, travellers referred to it as "la cité d'argent."<sup>14</sup> Other regulations are described as follows:

*In 1676, property owners were to clean daily the space in front of their establishments and put the sweepings out of the way. In 1679, they were not to empty the winter's refuse in the streets. In 1680, they were to fill in the wheel-ruts. In 1706, they were to build latrines as alternatives to using the streets, and not to keep pigs in their houses. In 1715, they must not put garbage on the streets and in 1716, again they must not. In 1725, they would be fined if they did. In 1741, they had to put their winter's dirt on the river ice. In 1711, carters were not to run horse races through the streets, and in 1749 drunken drivers, galloping horses, would be fined three livres. No streets were paved during the eighteenth century, though in 1721 an ordinance ordered the building of wooden walks, eight inches high, one foot wide, two feet out from the sides of the houses. This does not mean that they were built.*<sup>15</sup>

Parallels of the implications of the last comment may be found right up to the present.

Ships coming from Ireland in 1795 were frequently infected with typhus and quarantined. Medical Vaccinators were appointed from 1815 to 1820, and this may have accelerated the establishment of a Medical Board in 1819. However, the enactment relating to the formation of Boards of Health did not come until 1832. After the outbreak of cholera in Toronto in 1834, the Medical Board "directed the attention of the Mayor, aldermen and commonalty to the most deplorable state of filth and uncleanness". At a somewhat later period, the same board is to be found advocating cleanliness and construction of public sewers.<sup>16</sup>

In 1878, a Select Committee of the Legislature of Ontario was named and conducted extensive inquiries among practitioners as well as making first-hand investigations in various parts of the Province. These investigations included questions relating to ventilation, purity of water, drainage, and disposal of excreta. A great deal of information was gained and in 1882 The Public Health Act was

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10) Ira V. Hiscock, *Community Health Organization* (New York: The Commonwealth Fund, 1939), p. 197.

11) Andrew Balfour and Henry Harold Scott, *Health Problems of the Empire* (London: W. Collins Sons and Co. Ltd., 1924), p. 70.

12) A. R. M. Lower, *Canadians in the Making, A Social History of Canada* (Toronto: Longman's, Green and Company, 1958), p. 48.

13) *Ibid.*, p. 47.

14) *Ibid.*

15) *Ibid.*

16) Balfour and Scott, *op. cit.*, p. 70.

enacted. The provisions were such that many of the improvements in housing conditions henceforth were from a health and sanitation point of view.

#### RECENT DEVELOPMENTS

The development of standards of fitness for dwellings in England still places much responsibility on the local administrative officials because of the lack of precision of the legislation. As a result, local standards may prevail against national objectives. Standards tend also to fall behind the conditions in the home which come about with the use of modern and contemporary furnishings and facilities. Since 1936, all municipalities have been required to have building by-laws, but the delay in making rural municipalities have such by-laws previously, has resulted in some areas having expensive clearance at a later date.

Grants for improvements of the fitness of dwellings in England have not been utilized to the extent that was hoped for and anticipated. Requirements for improved amenities, where a house has been converted into lodgings and the number of occupants substantially increased, have been circumvented by reducing the number of people in the building.

The "workable program" of federal assistance to municipalities has greatly accelerated the passing of local building codes in the United States. Overlapping of departmental jurisdictions may take place until patterns of inspection and enforcement are firmly established. There may also be instances yet of omissions of single family dwellings from the code because the early interest was directed towards improving conditions in the tenements.

In Canada, the National Building Code has been of great help in establishing minimum building standards in terms of contemporary conditions. It is easily adapted to any type of municipality and it is a positive step in securing new construction and repaired construction of good standards.

The comprehensive maintenance and occupancy by-laws of Ontario are relatively new and their effectiveness is still dependent on the degree they are used. Although it is impossible for municipalities to have similar by-laws in New Brunswick and Nova Scotia, their usage is very limited. Manitoba is an example of how the provincial health regulations could set the same minimum standards, if implemented, throughout the whole province.

Home Improvement Loans in Canada have averaged only about 30,000 loans per year.<sup>17</sup> These loans have been used to advantage mostly in the fringe areas where the houses were not fully completed. However, there have been very few applications from the downtown residential areas where the housing could be improved considerably. In contrast, but not because of the Home Improvement Loans, there has been a real upsurge in the improvement of the Ontario farm homes.

A more detailed description of the events leading to better conditions of occupancy in England, the United States and Canada is presented in the next three chapters.

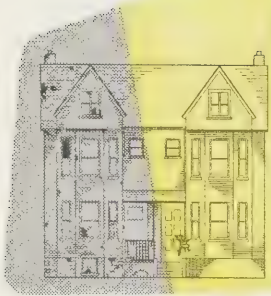
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17) Canada, Central Mortgage and Housing Corporation, Annual Reports, (Ottawa).



## CHAPTER V

# THE STRUGGLE AGAINST POOR HOUSING IN ENGLAND



*The state of public health was never taken very seriously until the cholera epidemics between 1830 and 1854 galvanized the Government into action.<sup>1</sup> This was the attitude of apathy grounded upon a passive if not deliberate philosophy of laissez-faire which*

was prevalent in the nineteenth century. If more land was available to be built upon at a profit, regardless of how narrow the streets or how little space between or around buildings, it was taken. If more people could be accommodated in the same space, regardless of their health or comfort, the space was rented. There was no appreciation of the limitations of ground, light or air and no discernment that the basic structure of a town could not serve more than a limited number of people.

William and Robert Chambers describe conditions of 1840 to 1850 in terms of streets full of decomposing filth, poor drainage, with seepage from the decomposed matter draining into pools of stagnant water.<sup>2</sup> The air and water were often inadequate or polluted. Workshops were overcrowded and lacked fresh air. Houses were overcrowded, poorly ventilated, and illness and death prospered. Even the graveyards were overcrowded and unsanitary.<sup>3</sup> These were the formidable conditions which confronted men of vision and responsibility such as Sir Edwin Chadwick, Sir John Simon and the seventh Earl of Shaftesbury.

In 1601 the Elizabethan Poor Law established Parish Overseers and Workhouses. *Besides relieving destitution, these authorities carried out any measure that was necessary for the public health such as control of epidemics, the provision of sewers or the abatement of sanitary nuisances.*<sup>4</sup>

In 1832 Edwin Chadwick was appointed Assistant Commissioner on the Poor Law Commission. He became a Commissioner the next year and with the passing of the Poor Law Amendment Act in 1834, Edwin Chadwick, was named Secretary to the Poor Law Commission and held the post until 1845. He was made painfully aware of the wretched conditions in which people lived and became obsessed with his "sanitary idea".<sup>5</sup>

Chadwick took part in several investigations of sanitary conditions and in 1842 produced his famous Sanitary Report which had particular reference to the labouring population. He served with the Royal Commission inquiring into the Sanitary Conditions of Large Towns (1842-44), which was presided over by the Duke of Buccleuch, and in 1848, he was appointed Commissioner to the Board of Health following the enactment of the Public Health Act in the same year. This Board was abolished in 1854 due to its determination to fulfil its function which in turn created great opposition to it. Chadwick then ceased to have any official position after that time.

During Chadwick's investigations opposition was expressed against improving the streets as some employment was provided for indigents by street sweeping. However, there were many instances where there was no cleaning whatever of the streets and courts (cul de sac) where the poorest people lived. A Mr. Baker who is cited in the Sanitary Report of 1842 records his impression of Leeds in these words:

*With broken panes in every window frame, and filth and vermin in every nook (. . . ) there are streets elevated a foot, sometimes two, above the level of the causeway, by the accumulation of years, and stagnant puddles here and there, with their fetid exhalations, causeways broken and dangerous, ash places chocked up with filth, and excrementitious deposits on all sides as a consequence, undrained, unpaved, unventilated, uncared for by any authority but the landlord, who weekly collects his miserable rents from his miserable tenants.*<sup>6</sup>

The conditions in the houses were equally as bad as the conditions in the streets. Dr. W. H. Duncan described the lodging houses kept by the Irish and frequented by the migratory Irish in Liverpool as follows:

*In every room of such houses, with the exception of the kitchen or cooking room, the floor is usually covered with bedsteads, each of which receives at night as many human beings as can be crowded into it; and this too often without distinction of sex or regard to decency. But there are cellars, usually the double cellars I have described, which are used for the same purpose; and here the overcrowding is carried still further, if that be possible and is certainly even more prejudicial to health of the inmates, from the still more defective ventilation*

1) T. W. Hill, *The Health of England*, (London: Jonathon Cape, 1933), p. 11.

2) William and Robert Chambers, *Sanitary Economy* (Edinburgh: 1850).

3) In one instance in London there were as many as 100,000 corpses in four acres of ground.\*

4) Hill, *op. cit.*, p. 11.

5) Maurice Marston, *Sir Edwin Chadwick 1800-1890* (London: Leonard Parsons, 1925), ch. I.

\*) Samuel Edward Finer, *The Life and Times of Sir Edward Chadwick* (London: Methuen & Co. Ltd., 1952), p. 230.

6) Report of the Poor Law Commissioners on the Sanitary Conditions of the Labouring Population of Great Britain, 1842, quoted in William and Robert Chambers, *Sanitary Economy* (Edinburgh: 1850), p. 183.



of these dark and miserable abodes. At night the floor of these cellars—often the bare earth—is covered with straw and there the lodgers—all who can pay a penny for the accommodation—arrange themselves as best they may, until scarcely a single available inch of space is left unoccupied. In this way as many as thirty human beings or more are sometimes packed underground, each inhaling the poison which his neighbour generates, and presenting a picture in miniature of the Black Hole of Calcutta. [and] (. . .) thirty individuals are furnished with a supply of air sufficient for the wants of only seven.<sup>7</sup>

Fever breaks out from time to time, and spreads with rapidity among the inhabitants. Nor is this the worst; for, from the migrant character of their population these dens become foci which radiate infection not only throughout the town but to other towns, and to distant parts of the country. But the end of overcrowding is not confined to the lodging houses. The houses, both in streets and courts, are very generally sublet, each room being sometimes occupied by one or more families; so that it is not uncommon to see an apartment 10 to 12 feet square, and perhaps more frequently a cellar of the same dimensions inhabited by twelve or fourteen people.<sup>8</sup>

Other reports indicate that in some instances there were as many as a dozen families in a single room.<sup>9</sup> From evidence such as this, Chadwick wrote: *Yet we have seen that there are whole streets of houses (. . .) in which the condition of every inhabited room and the physical condition of the inmates is even more horrible than the worst of the dungeons that [John] Howard ever visited.*<sup>10</sup> He further concluded that:

*The various forms of epidemic, endemic and other diseases are caused or aggravated or propagated chiefly among the labouring classes by atmosphere impurities produced by decomposing animal and vegetable substances, by damp filth and close overcrowding dwellings, prevail. . . in every part of the Kingdom . . . That such disease, wherever it attacks are frequent, is always found in connection with the physical conditions above specified, and that where these circumstances are removed by drainage, proper cleansing, better ventilation, and other means of diminishing atmosphere impurity, the frequency and the intensity of such diseases are abated. . . . That the formation of all habits of cleanliness is obstructed by defective supplies of water. That the annual loss of life from filth and bad sanitation is greater than the loss from death or wounds in any wars in which the country has been engaged in modern times.*<sup>11</sup>

7) Ibid., p. 35.

8) Ibid., p. 36.

9) Finer, op. cit., p. 215.

10) Report of the Poor Law Commissioners on the Sanitary Condition of the Labouring Population of Great Britain, 1842, quoted in Maurice Marston, *Sir Edwin Chadwick 1800-1890* (London: Leonard Parsons, 1925), p. 106.

11) Ibid., pp. 106, 107.

Chadwick urged that medical officers of health be the authority empowered to detect insanitary conditions and that drainage authorities be established. He also grasped the significance of having an abundant supply of water at high pressure which was essential to house drainage, main drainage and street cleansing. Through the Royal Commission on the Health of Towns he brought the Sewers Administration under criticism for the lack of flushing of sewers which was performed by private contract. He strongly advocated a public agency for all disposal and cleaning.<sup>12</sup>

Mention was made earlier of Sir John Simon (1816-1904) who did much to improve water supplies and whose work led to the abolishment of urban cess-pools and their replacement by sewers; the appointment of sanitary inspectors; and the relief of housing conditions and overcrowding.<sup>13</sup> As the first medical officer of health for London from 1848 to 1855, he established a sound basis for health administration and preventive medicine.<sup>14</sup>

Lord Shaftesbury who gave effective support to Chadwick while the latter was in government service had a particular interest in improving conditions of work and housing generally. He did much to ensure the passage of the Common Lodging Housing Act which provided for the inspection of lodging houses and the provision of new accommodation of this nature. Similarly, he assisted in the passage of the Labouring Classes Lodging Houses Act which permitted municipalities and societies to provide housing for working class families and single men and women.<sup>15</sup>

The conditions of the period in which Chadwick was in government service have been deliberately discussed because of their profound importance in bringing about badly needed reforms in England, over a lengthy period, and in influencing conditions in other countries. However, for sake of brevity, and in an endeavour to encompass various events throughout three and a half centuries, the accomplishments which have taken place are summarized hereunder:

1598—John Stowe's Survey of London warned of extreme overcrowding, the dangers of epidemics, conflagrations, congestion of traffic and population and of overcrowding.

1601—The Elizabethan Poor Laws included authority for control of epidemics, the provision of sewers or the abatement of sanitary nuisances.

1667—The London Building Act was concerned with hazards from fire and the collapse of houses.

1774—John Howard publicized the appalling prison conditions.

1802—The Factory Acts required the washing of interiors of workrooms with quick lime and water twice a year.

12) Finer, op. cit., p. 236.

13) Hill, op. cit., p. 72.

14) "Sir John Simon", *Everyman's Encyclopedia*, Vol. XI, 3rd ed.

15) Gray, op. cit., p. 58.

"Shaftesbury, Anthony Ashley Cooper, seventh Earl of", *Everyman's Encyclopedia*, Vol. XI, 3rd ed.

- 1834—The Poor Law Amendment Act. Edwin Chadwick was named Secretary to the Poor Law Commission and by this time was obsessed with his "sanitary idea".
- 1840—Select Committee of the Commons on the Nation's Health.
- 1842—(Chadwick's) The Poor Law Commission's Report, on Sanitary Conditions.  
—Appointment of the Royal Commission on Sanitary Conditions of Large Towns.
- 1844—Report of Royal Commission on Sanitary to Conditions of Large Towns.
- 1845
- 1848—The Public Health Act. Previously no government department was responsible for the cleansing or lighting of streets, supply of water, paving of roads, housing conditions or sanitary arrangements of the towns. All had been previously matters of private enterprise. Chadwick was appointed as a member of the Health Board.  
—Sir John Simon was appointed as first Medical Officer of the City of London.
- 1851—The Common Lodging Houses Act required the inspection of lodging houses and permitted the provisions of new accommodation.  
—The Labouring Classes Lodging Houses Act permitted municipalities and societies to provide housing for working class families and single men and women. Lord Shaftesbury energetically assisted the passage of these acts.
- 1854—The Health Board was abolished and its duties merged with the Local Government Board in association with the Poor Laws Board. Chadwick's official career ended.
- 1875—The Public Health Act gave urban municipalities the authority to make building by-laws. Boards of Health might also be established.
- 1875—The Artisans Dwellings Act.
- 1878—The Factory and Workshops Acts. Local governments were permitted to clear and reconstruct unhealthy areas.
- 1890—The Public Health Acts Amendment Act gave rural district councils limited power to make building by-laws.  
—The Metropolitan Board of Works in London had planned twenty-two slum clearance schemes, displaced 29,004 people and provided new homes for 30,679 people.<sup>16</sup>  
—A Principle Act consolidated former laws which included the following principles:
- (a) the right body to deal with local municipal authority.
  - (b) the work of the local authorities should be supervised by a national government department.

- (c) the local authorities should have power to acquire and clear slums and rebuild to rehouse the workers; to serve closing orders on owners, where conditions were dangerous and injurious to health, to keep the premises vacant until put in proper repair and to issue demolition orders to the owners where there was non-compliance; to buy land and build housing to relieve overcrowding; to borrow the necessary capital to do this work.

Most cities did not go beyond closing and demolishing unfit dwellings. Ironically the higher standards caused overcrowding in the older areas.<sup>17</sup>

- 1906—The Town Planning Act limited the number of houses per acre.
- 1909—The Housing and Town Planning Act. Back to back houses were prohibited.<sup>18</sup>
- 1912—A Special Committee was appointed by the government to investigate housing conditions and make recommendations. The report accelerated the demand for a programme to meet the housing problem.<sup>19</sup>
- 1919—Ministry of Health created. This was a long standing recommendation of Sir John Simon.  
—The Ministry of Health was authorized to subsidize local authorities in the acquisition of land and provision of housing where the needs were not being met otherwise.<sup>20</sup>  
—Land unfit for use had no value and being illegal the owner was required to pay the cost of demolition.<sup>21</sup>  
—The Ministry of Health prepared a Manual on Unfit Houses and Unhealthy Areas for the guidance of local authorities as to a standard for a fit house.<sup>22</sup>
- 1930—Larger subsidies were provided for the clearance of buildings and rehousing of persons on the central locations. Land might be retained for open space, public purposes, leased or sold.<sup>23</sup>
- 1932—The Town Planning Act was amended to require local authorities to prepare town planning schemes, to authorize the zoning and replanning of built-up areas (so as to prevent promiscuous developments) and to protect the natural beauty and amenities of the locality.<sup>24</sup>
- 1933—Local authorities were ordered by the Ministry of Health to prepare plans for clearance of all slums in five years.<sup>25</sup>

17) Ibid., pp. 58, 59.

18) Hill, op. cit., p. 74.

19) Gray, op. cit., p. 60.

20) Ibid.

21) Ibid.

22) A. J. Stroud, "Housing Standards and Related Problems", A Paper Presented to the Congress of Public Health Inspectors at the Health Congress at Harrogate April 27th, 1959, Royal Society of Health, June 1959, p. 653.

23) Gray, op. cit., p. 61.

24) Ibid., p. 59.

25) Ibid., p. 61.

16) Gray, op. cit., p. 58.



1935—Subsidies were on a higher percentage where the land costs were higher. Overcrowding became a punishable offence.<sup>26</sup>

1936—Rural district councils were compelled to make building by-laws.<sup>27</sup>

1938—Increased subsidies were made available to accommodate those who could not provide adequate housing for themselves and who were disqualified from private and public projects.<sup>28</sup>

1954—The Housing Repairs and Rents Act, 1954.

1957—The Housing Act, 1957.

The present "Definition of Standard of Fitness" is described in these acts, but has differed little from that contained in the Housing Act of 1930.<sup>29</sup>

#### PRESENT STANDARDS OF FITNESS

Improvements have been encouraged by government grants for such facilities as a bath or shower, a hand basin, a hot-water supply, a food cupboard and a water closet. In 1957, local authorities approved payments for modernization of 30,841 houses. Grant payments averaged £200 for each improved dwelling and were limited to 50 per cent of a maximum improvement of £400 per dwelling unit.<sup>30</sup> However, the improvement grants have been so ineffective in terms of the size of what is required that the General Council of the Association of Public Health Inspectors observed in 1956 that *it appears inevitable that some measure of compulsion will be necessary if any substantial progress is to be made.*<sup>31</sup>

In spite of the positive effect generally of the British legislation, it has not kept pace with contemporary changes. It is possible in Britain for there to be compliance in terms of the facilities which are used but the facilities themselves may be quite inadequate in terms of contemporary good living conditions. For example, a new house may be erected without providing a bath. Innovations such as central heating, modern house equipment, the automobile and the more extensive use of electricity all produce conditions which in part demand more precise legislation and at the same time make it most difficult to establish new statutory standards until the impact of such innovations are understood. In other words a standard which was acceptable in the nineteenth century may have little relevance as a by-law or regulation in the twentieth century. This kind of circumstance prompted the

Association of Public Health Inspectors at their Annual Conference in 1956 to pass the following resolution:

*That the Minister of Housing and Local Government be requested to introduce legislation empowering local authorities to enforce the improvement of houses so as to satisfy modern standards of comfort and convenience, and giving statutory recognition to the standard for a satisfactory house recommended in 1946 by the Sub-Committee on Standards of Fitness for Habitation of the Central Housing Advisory Committee.*<sup>32</sup>

Houses converted to lodgings and with a substantial increase in the number of occupants are required to provide certain amenities. However the owner may simply reduce the number of people in the house without improving the conditions which have resulted from the house being used for lodgings. Although the 1935 legislation made overcrowding an offence, it was predicated on conditions in tenanted houses and without regard to children less than one year old. Many persons, especially immigrants, buying houses now for their own use, are sharing accommodation with others to pay for the house as prices are high due to a housing shortage. Thus there are many instances of overcrowding in owner-occupied houses, which, although subject to the regulation to a degree, are less likely to be rectified because of the concept of the legislation.

Under the British system, every house must be carefully considered on its own merits. Although the basic elements of standards are set out such as, repair; stability; lack of dampness; natural lighting; ventilation; water supply; drainage and sanitary conveniences; facilities for storage; preparation and cooking of food; and for the disposal of waste water, the fitness or suitability can only be judged having regard to the whole house rather than any one isolated item. Demolition or clearance are considered only if there is no possible alternative. However, the decisions as to what are reasonable expenses for repair or unfit for habitation can only be based on personal responsible experience. Because of its lack of precision, the enforcement of the standards are difficult. Although the objective of the legislation is to establish standards which are not influenced by local conditions, the opposite does happen because of the lack of precise definition of the legislation.<sup>33</sup> However, in spite of any deficiencies, there is an experienced approach to these questions.

32) The Sanitarian, op. cit., p. 63.

33) J. M. Austin-Smith, "The Effect of Present Trends". Minimum Housing Standards, Trends, Advance Copy of a Paper Presented at the Sessional Meeting at Caxton Hall, Westminster, October 12, 1960, (London: Royal Society of Health, 1960).

F. Collin Brown, "Housing: The Task of Slum Clearance", A Paper Presented to the Conference of Public Health Inspectors at The Health Congress at Folkestone, May 3, 1957, Royal Society of Health, July, 1957.

G. Graham Don, "The Extent of Building Control", Minimum Housing Standards, Advance Copy of a Paper Presented at the Sessional Meeting at Caxton Hall, Westminster, October 12, 1960 (London: Royal Society of Health, 1960).

A. J. Stroud, "Housing Standards and Related Problems". A Paper Presented to the Congress of Public Health Inspectors at the Health Congress at Harrogate, April 27, 1959, Royal Society of Health, June 1959.

26) Ibid.

27) Don, op. cit., p. 6.

28) Gray, op. cit., p. 61.

29) F. Collin Brown, "Housing: The Task of Slum Clearance", A Paper Presented to the Conference of Public Health Inspectors at the Health Congress at Folkestone, May 3, 1957, Royal Society of Health, July 1957, p. 406.

30) Great Britain, Report of the Ministry of Housing and Local Government 1957, (London: Her Majesty's Stationery Office, 1958), p. 15.

31) The Sanitarian, p. 56 quoted in G. Graham Don, "The Extent of Building Control", Minimum Housing Standards, Advance Copy of a Paper Presented at the Sessional Meeting at Caxton Hall, Westminster, October 12, 1960 (London: Royal Society of Health, 1960).

## CHAPTER VI

# THE EMERGENCE OF MAINTENANCE STANDARDS OF HOUSING IN THE UNITED STATES



As New York has been the greatest port of entry into the United States of America, it has quickly reflected the rate of immigration and natural increase by evidence of its congestion and overcrowding. This was particularly true in the nineteenth century due to

the combination of an unusually high rate of immigration and rapid industrialization.

The congestion is described in terms of narrow streets, six storey buildings, little space for yards or light courts, overcrowded rooms, cellar dwellings, meagre sanitation, ill lighted rooms and filth.<sup>1</sup>

Due to low-lying land, poor drainage, poor sanitation and overcrowding there were several plagues and epidemics in the decade before 1800. One writer of the time observed that because of the *enormously high rents, many families, particularly among the Irish immigrants, were reduced to existing in damp cellars.*<sup>2</sup> A priest, Father O'Brien, recorded that *members of poor destitute families . . . . in want of every necessity of life, confined in subterranean apartments which admitted no light, but from their hatch-door . . . I was disgusted at the abominable, uncleanly state of their miserable habitations . . . . not even a stool to sit on or a bed to lie upon.*<sup>3</sup>

As older houses were vacated for new ones, they were crowded with new residents. Multiple dwellings were constructed without regard to sanitation, open space, light, or real comfort and slums grew literally by the day. By 1894, the congestion was actually greater than in any European city. For example, *the figures showed 143.2 people per acre for the island of Manhattan, against 125.2 in Paris; 10th Ward of New York, 626.2 against a similar area in Prague (the worst in Europe) of 485.4; Ward A, 986.4 per acre against 759.6 for Bombay, the next densest known population in the world.*<sup>4</sup>

In spite of such conditions, efforts had been made to meet the situation. A regulation against the overcrowding of taverns and rooming houses was passed in 1804. In 1800 the installation of water and sewers was commenced; and legislation was passed to prohibit the complete building coverage of a lot. In the same year, the City was given authority to acquire and demolish

properties where there was complete coverage. A building which covered a lot completely was destroyed by fire in 1835 and the citizens successfully petitioned to have the land turned into a public square. This is considered to be New York's first slum clearance project.<sup>5</sup>

In 1876, Alfred T. White, who built the Tower and Homes Apartments, successfully demonstrated the advantages of using more open land for tenement houses than was required. However, a competition for a model tenement house plan on a 25 x 100 foot lot was predicated on the view that *capitalists will not invest in this direction unless they obtain at least 7 per cent interest* and those entering the competition were urged to *strive to plan a sanitary building which will bring in the most revenue.* The prize winning plan was quite inadequate with respect to light, air and privacy. Unfortunately, thousands of tenements were built from this plan and they became known as dumbbell apartments or double deckers and contributed to the worst of New York's housing.<sup>6</sup>

Although there were recommendations for changes to prevent overcrowding and provision for light, air and sanitation, there was no authority for such matters until the New York Tenement Law was enacted in 1901. This measure provided some safeguards. It stopped the building of dumbbell apartments. However, there was relatively little enforcement.<sup>7</sup>

Lawrence Veiller was the author of the "New York Tenement House Act of 1901" and in his view, the enactment was forty years too late. The standards were only those which appeared to have possible acceptance at that time and to a large degree they had been accepted already prior to the passing of the Act. This New York law became the basis for the first enactments of a similar nature in various parts of the United States but Veiller felt it was not very satisfactory and that it should be carefully adjusted to accommodate local needs.<sup>8</sup> In fact, by 1914, all such laws in the

United States were based on the New York Tenement House Law or Veiller's Model Tenement House Law of 1910.<sup>9</sup> Nevertheless, Veiller was firmly of the view that the wisest course was to design a law to suit the needs of a particular city and not merely to copy one

1) Gray, op. cit., p. 6.

2) Gray, op. cit., p. 7.

3) Ibid.

4) James Ford, *Slums and Housing* (Cambridge Harvard University Press, 1936), p. 187.

5) Gray, op. cit., "The Case History of New York City".

6) Gray, op. cit., pp. 8, 9.

7) Gray, op. cit., pp. 10, 11.

8) Lawrence Veiller, *A Model Tenement House Law* (New York: Charities Publication Committee, 1910), pp. 3, 4.

9) Lawrence Veiller, *A Model Housing By-Law* (New York: Survey Associates, Inc., 1914), p. 19.



from somewhere else.<sup>10</sup> He also proposed including single family residences as well as tenements.<sup>11</sup>

Veiller felt that it was important to have the legislative power to refuse occupancy of improper accommodation rather than to insist upon clearance and demolition.<sup>12</sup> He considered that it was most

important to prevent the erection of unsuitable buildings for the future; that the dwellings of the future should be maintained in a decent and sanitary manner; and that the old buildings which properly belonged to the poor should be renovated so that they would be fit in terms of contemporary standards and prevented from being an influence for disease and death. Elements within the standards of housing were sanitation, structure and social conditions and the people affected were the landlords, the tenants and the community.<sup>13</sup> Veiller believed that special courts,

staffed by people who understood the problems were required, and that it was less cumbersome to operate from a local ordinance which could be passed or amended quickly rather than from a legislative enactment of the State.<sup>14</sup> Based upon his early experience,

he was positive that standards should never be established in law which were lower than those accepted by the community as they would be outdated and serve no purpose.<sup>15</sup>

Some of Veiller's basic views are expressed as follows:

*In other words, we must get rid of our slums before we establish garden cities; we must stop people living in cellars before we concern ourselves with changes in methods of taxation; we must make it impossible for builders to build dark rooms in new houses before we urge the government to subsidize building; we must abolish privy vaults before we build model tenements. When these things have been done there is no question that effort can be profitably expended in the other directions mentioned.<sup>16</sup>*

Veiller's method of extending housing standards to encompass all municipalities is described in these words:

*Housing evils are not confined to cities. Slums are found wherever people live, in small towns, in villages, even in the open prairie and the only effective way to overcome these evils is through housing legislation; legislation which at first should apply only to the larger cities, but which gradually can be extended with little change to the smaller communities until ultimately every section of the state is embraced within its beneficent protection.<sup>17</sup>*

An example of the effect of Veiller's work may be had by examining certain circumstances pertaining to the passing of the Housing Law in the State of Michigan. In 1917, the State Legislature passed the enactment based on Veiller's "A Model Housing By-law". Previous to this, the Department of Health of the City of Detroit had unsuccessfully urged that the city should have a housing ordinance. Upon the publication of Veiller's model by-law in 1914, the Detroit Commissioner prevailed upon the state legislature to enact the requisite legislation. In this instance it was mandatory for cities of 100,000 population or more. At the present time the legislation applies to the areas within two and one half miles of such centres. It also applies to urban municipalities of 10,000 population and less than 100,000 and the surrounding area of one and one quarter miles in depth. Private dwellings and two-family dwellings are exempted in the centres of less than 100,000 unless included by local by-law.<sup>18</sup>

The City of Detroit in 1940 adopted the State of Michigan Housing Law as part of the City Building Code in order that enforcement might be through the local courts rather than through the more cumbersome circuit courts of the State. Nevertheless, the Health Department still has certain responsibilities in making the program function.<sup>19</sup>

In the course of this study, it was found that there were nine states which had housing codes. These are California, Connecticut, Hawaii, Iowa, Massachusetts, Michigan, Minnesota, Rhode Island, and Vermont.<sup>20</sup>

The following summary<sup>21</sup> also gives examples of forty-five American municipalities which have housing code programs presently in effect.

10) Veiller, Housing Reform (New York: Charities Publication Committee, 1910), p. 44.

11) Gray, op. cit., p. 11.

12) Veiller, Housing Reform, p. 21.

13) Ibid., p. 39.

14) Ibid., p. 152.

15) Ibid., p. 96.

16) Veiller, A Model Housing By-Law, p. 7.

17) Ibid., p. 16.

18) Memorandum of Maurice F. Parkins, Principal Planner, Conservation Division, City Plan Commission, City of Detroit, October 11, 1960.  
State of Michigan, Housing Law of Michigan, Act. 167, P.A. 1917.

19) Ibid.

20) National Association of Housing and Redevelopment Officials, Housing and Urban Renewal Directory (Chicago: 1961).

21) Ontario, Department of Municipal Affairs, Community Planning Branch, Housing Code Programs, A Summary of Experience on Selected American Communities (Toronto: 1961).

TABLE 1

MUNICIPALITY	HOW CODES ENACTED	RESPONSIBILITY FOR ENFORCEMENT	ENFORCEMENT POLICY	ENFORCEMENT DIFFICULTIES	COST	ORGANIZATION	VIOLATIONS PROCEDURE	NEIGHBOURHOOD IMPROVEMENTS	CITIZEN INTEREST PROMOTIONAL ACTIVITY
Ann Arbor, Michigan. Population 1950: 48,000.	State housing law adopted. Co-ordinated application of housing, health, fire, building and safety standards. Housing Div. in Dept. of Bldg. and Safety Engineering.	Dept. of Building and Safety Engineering.	Education, persuasion and referral to city attorney in uncooperative cases.	Plan to increase degree of legal action for long-term violation.	Not reported.	Inspection on complaint or where doubtful. Annual inspection of all multi-family dwellings.	Letters; administrative hearing; court order to condemn, vacate or repair.	Zoning and off-street parking.	Education program through press and citizen groups.
Atlanta, Georgia. Population 1950: 72,000	To check blight accelerated by 'workable program'.	Environmental Improvement Division, Dept. of Urban Renewal in co-operation with other agencies such as County Health Department.	Persuasion, hearings of Better Housing Commission and court action.	Hardship cases and shortage of staff.	Not reported.	Director, secretary, 4 field inspectors. Inspections on complaint and in worst sections.	Notices of violation, re-inspection, Better Housing Commission and Municipal Court.	Not reported.	Educational campaign and assistance of improvement associations.
Baltimore, Maryland. Population 1950: 950,000.	City Health Dept. began program of enforcement in 1939 and ordinance followed in 1941.	Divided. In one instance the Urban Renewal and Housing Agency.	Persuasion and housing court.	Overlapping responsibilities. Lack of funds by owners of abandoned buildings.	1960: \$145,000.	Inspections in approved urban renewal areas and on complaint. Division chief, assistant, 2 senior housing inspectors, 1 senior construction inspector, 12 housing inspectors.	Official notice, persuasion, \$100. per day fine.	Street improvements, lighting, planting, open space, spot clearance. Special attention to conforming uses by covenants between city and owners.	City-wide organizations assist with literature and information. Community organization essential.



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Chicago, Illinois. Population 1950: 3,621,000.	Previous to 1956 building code requirements were scattered. Public and semi-public organizations were interested in consolidation.	Housing Inspection Bureau assisted by Building and Electrical Sections.	Notice, hearing with- in Dept. of Buildings, municipal court, circuit or superior court to attain specific performance.	Displacement of families, lack of new construction.	1960: \$400,000.	Systematic surveys when volume of complaints reduced. 12 supervisors, 75 inspectors.	Notice, interview, court, fine.	Not reported.	Property owners and community associations assist as well as newspapers, radio and T.V.
Cincinnati, Ohio. Population 1950: 504,000.	Building code covers all dwellings.	Housing Bureau, Division of Buildings.	Court action as last resort.	Incompetent contractors, inadequate plans, reluctant owners, hard-ship cases, zoning violations, keeping records.	\$200,000 excluding office maintenance.	30 Inspectors. Regular inspection only for worst areas.	Notice, inspector assists and advises owner.	Plans for renewal of a neighbourhood.	Mutual co-operation agency and citizens in organizing program.
Columbia, South Carolina. Population 1950: 87,000.	Citizens' Committees.	Dept. of Urban Rehabilitation.	Request and court action.	Poor owner-occupants.	\$35,000.	Director, 1 tenant enforcement officer and neighbourhood organizer, 2 stenographers.	After notice, owner may appeal to special housing commission. On non-compliance, he may be summoned before city magistrate. Fine of \$50 or 7 days in jail for each day of offence.	No provision.	Annual 'Fight Blight' program.
Dallas, Texas. Population 1950: 434,000.	Pilot rehabilitation project showed need.	Building Inspector.	Persuasion and legal procedures.	Hardship cases (given time until finances improved). Compliance by 85% to 95% of all cases.	Not reported.	10 inspectors with good public relations.	Following notice, 45 days waiting period and owner asked to come and discuss situation. If no response, court action may follow.	Work of City Depts. coordinated by Urban Rehabilitation Co-ordinator.	Press and radio. Social agencies assist. Neighbourhood committees work with city.

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Dayton, Ohio. Population 1950: 24,000.	City Planning Board initiated studies which showed existing codes inadequate.	Bureau of Housing Inspection.	Education, voluntary compliance but strict enforcement if necessary.	Having cases set for hearings. Proof that dwelling is rented for compensation.	\$60,000 per year.	15 Inspectors Goal is 22 inspectors or 1 inspector per 10,000 population, or 1,000 sub-standard structures, or sufficient for a complete inspection every 3 years.	Notice, follow-up, legal action. If necessary, city may make repairs and put ban on property.	Inspectors make recommendations to Urban Renewal Department who also make recommendations.	Press, radio, visual presentation, neighbourhood groups.
Des Moines, Iowa. Population 1950: 178,000.	Developed to meet 'workable program' Code. Covers all housing.	Director of Health.	Persuasion and legal measures.	Lack of alternate accommodation - long delays.	Dept. of Health, \$35,000 per year. Additional costs for building department.	Multiple dwelling inspection once a year, others on complaint. 11 sanitarians.	Notice; if necessary hearing by health officer, then to co-ordinating committee, ultimately to city council. Costs assessed against property. Right of court appeal.	After removal of buildings, new land use must conform with zoning by-law.	Educational program through press, radio, T.V. High degree of owner co-operation.
Detroit, Michigan. Population 1950: 1,852,000.	Promotion by Dept. of Health resulted in enactment of 1917 State law. In 1940 provisions became part of City building code to expedite enforcement.	Dept. of Health, Dept. of Building Engineering.	Persuasion and legal measures.	Weak cases, poor presentation, legality time-tested.	Examples: Salary of health inspector, \$6,003, Inspector in building and Safety Engineering, \$7,819.	Co-ordinated program. Health-22 inspectors. Building and Safety Engineering - 40 inspectors. Source augmented by inspectors from other dept. Regular inspection of multiple units and rooming housing.	Health Dept. makes survey, violation explained to owner, persuasion, city attorney and court.	Pilot conservation project.	Pilot project has full participation of area residents.



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East Orange, New Jersey. Population 1950: 79,000.	Urban Renewal program required adoption of Housing Code.	Enforcement officer for Building Code and Zoning Ordinance.	No major difficulties.	\$20,000 per year.	Inspection on neighbourhood basis and complaint. 1 public officer, 2 housing inspectors.	Notice for compliance. City magistrate. Public officer may order repairs and place lien on property.	Street improvements, off-street parking.	Educational material publicized through Housing Authority's Citizen Committee.
Easton, Pennsylvania Population 1950: 36,000.	Due to 'workable program'.	City Board of Health.	Lack of funds and trained personnel. Requires better co-ordination.	1959: \$6,000.	2 inspectors on complaint basis.	Board of Health - work to be completed in 30-90 days.	None reported.	Newspapers, radio and citizen participation but not on an organized basis.
Flint, Michigan. Population 1950: 163,000.	City Commissioner co-ordinated all inspections through the Fire Prevention Bureau.	Fire Prevention Bureau.	Code generally accepted.	\$45,000 per year.	Annual inspections - 6 inspectors.	Notice - court action if necessary.	None reported.	Citizen interest aroused by loss of life from fires.
Fort Worth, Texas. Population 1950: 279,000.	Initiative of Home Builders Association.	Director of Building Standards Commission.	Few. Some 1200 houses have been razed or repaired without one case going to District Court.	\$15,000 per year.	Concentrating on vacant houses. Neighbourhood studies have been made. 3 inspectors, 1 stenographer.	Notice, 2nd notice, Building Standards Commission hearing, City council review District court.	Elimination of spot zoning. Improvement of community facilities.	Newspaper recognition and individual citizen interest.
Las Vegas, Nevada. Population 1955: 45,000.	Uniform housing code adopted to meet requirements for Federal assistance.	Urban Renewal Officials.	Nothing serious.	\$25,000 per year.	Advance notice to owners. Inspection by priority area. 3 inspectors.	Letter, callbacks and follow-ups, court action, repairs paid by owner.	Improved community facilities.	Press support.

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Los Angeles, California. Population 1956: 2,243,000.	Code enacted following re-jection of public housing project.	Conservation Division, Dept. of Building & Safety.	Based on fire, safety building and health codes.	Enforcement concept is one of equality, firmness and understanding of owner of benefits.	\$600,000 per year.	Separate inspectors for building, electrical, plumbing and heating; block to block inspection in certain areas.	Hearings before Board of Building and Safety Comm., regular courts. Council may repair and put lien on property.	Not reported.	Civic groups and neighbourhood organizations. Field personnel have comprehensive training in public relations program.
Milwaukee, Wisconsin. Population 1950: 637,000.	First Housing Code 1945. Became outdated. New Code 1955.	Housing Division of Health Dept.	Persuasion, education, legal action.	Hardship cases, legal obstacles; less since code upheld by State Supreme Court.	1959 - \$174,132	Neighbourhood inspections every 5 years; 20 inspectors, 1 sergeant, 1 lieutenant, 1 engineer, 4 stenographers.	Notice, court, jail - 30 days. Recommendation to go to court must be signed by 3 supervisors.	Not reported.	Radio and T.V. 4 organizations promote conservation. Citizens Property Improvement Council gives advice on repairs and finances.
Minneapolis, Minn. Population 1950: 522,000.	Health survey brought about Health Maintenance Code.	Housing Section of Health Department.	Written orders on violations on priority basis. Legal action.	Generally satisfactory.	Staff \$86,000 annually.	Neighbourhood inspections. 1 supervisor, 11 field inspectors, 2 clerks.	Written orders. Court gives time and date for re-appearance.	Improvements made in conjunction with renewal program and required additional facilities.	Co-operation with educational program of City Planning Dept. Public neighbourhood meetings to explain planning and code enforcement.
Mount Clemens, Mich. Population 1950: 17,000.	City Planning Comm. proposed "General Development Plan" and code followed.	Health Officer	Persuasion, education, consultation.	Difficulty when earlier approach was strictly legal.	\$21,000 per year.	Inspections in urban renewal areas and on complaint.	Notice, re-inspection, court action.	Community parks, recreation centres for each neighbourhood. Urban renewal project.	Block meetings. Professional advice on home improvement and conservation. Promotional and educational campaigns press and literature.
Nashville, Tenn. Population 1950: 174,000.	Required for "workable program".	Rehabilitation officer who works under Superintendent of Inspectors.	Educational.	Lack of money and lack of understanding.	\$40,000 per annum.	Inspections of urban renewal area, 4 inspectors.	Time limits vary. No court cases yet. Private funds for hardship cases.	Community facilities being brought up to standard.	Citizens organizations have shown considerable interest.



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New Orleans, La. Population 1958: 602,000.	Not reported. Covers all dwellings.	Division of Housing Improvement.	Education backed by law.	\$100,000 per year.	General field inspectors and specialists follow-up initial inspection.	Municipal Court.	Street improvements. Civic beautification, trees and horticulture.	Many civic improvement groups. Residents interested. Threat of legal action not used.
Niagara Falls, N.Y. Population 1950: 91,000.	Housing Advisory Committee recommendations and survey by team trained by American Public Health Association.	Director, Dept. of Housing & Rehabilitation.	Combination of persuasion, education and legal force.	\$40,000 per year.	Emphasis on neighbourhood inspection. Director, 1 secretary, 1 senior inspector, 3 housing inspectors.	Notification, follow-up letters, court action. Letter complimenting owner if no violation.	No special program.	Active press publicity. Special stories on rehabilitation areas.
Oakland, California, Population 1950: 385,000.	Citizen group became interested in urban renewal with federal assistance. In two years city personnel assigned to special Housing Division.	Dept. of Building and Housing.	Persuasion, education and legal force.	\$650,000 per year excluding equipment.	22 urban renewal representatives, 10 deputy plumbers, 2 inspectors, 2 heating and ventilating inspectors, 8 electrical inspectors, 12 deputy building inspectors.	Prosecutions passed by County District Attorney.	Under "workable program" co-operation of all Depts. to improve parking, traffic and recreation.	Home improvement groups, citizen Committee for Urban Renewal and Chamber of Commerce have all assisted as well as press.
Perth Amboy, New Jersey. Population 1950: 41,000.	To prevent the increase of slum areas.	Supervisor of Rehabilitation of Dwellings, Dept. of Public Affairs.	Persuasion and education.	\$19,000 per year.	Block by block inspection, supervisor, assistant, 2 inspectors.	Notice and hearing.	Not reported.	Planning Board, citizen advisory committee, and press.

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Pittsburgh-Allegheny County, Pa. Population 1950: 677,000.	Patterned after American Public Health Act.	Allegheny County Health Dept.	Legal approach only if persuasion fails and there is a public health hazard.	Program satisfactory.	District cost of \$15,000-\$20,000 annually. Population of 350,000 to each district.	Some neighbourhood surveys with Action Housing and Urban Renewal, 5 District officers.	Owner admits violation and agrees to correct in 60-90 days. Subsequent purchaser responsible if sold uncorrected. Court action also.	Improvements under Urban Renewal Commission in co-operation with County and City Planning Comm.	Neighbourhood Renewal Council, press and radio.
Plainsfield, New Jersey, Population 1950: 42,000.	To remove or upgrade substandard dwellings in conjunction with public housing program.	Public Officer and Public Works Committee of Council.	Discussion with owner and court summons.	Should have full-time official in charge.	\$1,800 part-time operation.	Inspection on complaint by public officer.	Repairs are responsibility of owner. City may demolish and charge costs to property.	New Master Plan in effect. Off-street parking and realignment of intersections.	Active co-operation from property owners.
Pontiac, Michigan. Population 1950: 74,000.	Housing code adopted in 1940 following State Law of 1917.	Director of Public Health.	Voluntary compliance and legal action. Assistance given in making plans for repair and in securing loans.	Generally satisfactory.	\$7,000 per year.	Intensive inspection in urban renewal projects. 1 staff sanitarian for routine inspections.	Notification and court action.	Street facilities and parks renewed in urban renewal projects. Extensive general improvement.	Educational promotion in urban renewal projects.
Providence, Rhode Island. Population 1950: 249,000.	Civic and professional groups interest.	Director, Division of Minimum Housing Standards.	Good public relations.	Nothing major.	\$67,500 per year.	6 inspectors in surveys of Census Tract areas; staff of 20 or 22 inspectors required to visit every dwelling every 3 to 4 yrs; 4 office workers needed for every 10 inspectors.	60-days notice, hearing before Director, appeal to Housing Board of review, police court.	Not reported.	Director makes numerous speeches; 98% compliance.



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Reno, Nevada. Population: 1959: 55,000.	Required for Federal assisted urban renewal project.	Chief Building Official.	Persuasion and education.	Few.	\$58,000 per year.	1 chief building inspector, 1 ass't., 1 electrical inspector, 1 plumbing inspector, 1 plan checker, 1 construction inspector, 1 clerk, 1 clerk sec.-book-keeper	Violation explained, Board of Appeals, City Council.	Off-street parking and parks.	Personal consultation conferences and meetings.
Richmond, Va. Population 1950: 230,000.	Director of Public Health and 2 members of Council reviewed conditions and 2 years later Code adopted.	Department of Public Health.	Education, persuasion and legal action.	Hostility at first by realtors. Difficulty in getting experienced personnel.	\$100,000	Neighbourhood inspections, 14 inspectors, 2 field supervisors, 2 stenographers, 1 supervisor.	Notice, Housing and Hygiene Board. Police court. Fine of \$10 to \$1,000 for each violation.	Community facilities improved.	Many citizen groups assisting as well as press, radio, T.V.
Roanoke, Va. Population 1950: 92,000.	Request of Realtors.	Health Dept. for existing buildings. Commissioner of Buildings for new construction.	Persuasion and legal approach.	Not enough inspectors.	Not reported.	1 inspector	Notice, Board of Housing and Hygiene. Fine of \$10 to \$500.	Not reported.	Not reported.
Rockford, Ill. Population 1950: 130,000.	Instigated by City-County Planning Comm. Real Estate Bd., Building Trades Association.	City Health, Building and Fire Departments.	Legal action only as last resort.	Difficulty in having old vacant houses demolished.	Not reported.	Inspection on complaint.	Notice, if premises vacant not to be rented; in some instances premises have to be vacated until repaired; court action.	Surfaced streets, water and sewers, public playgrounds.	Real Estate Bd., Building Trades Ass'n., Leagues of Women Voters help promote. Pilot projects. Few citizens remodel dwellings unless complaint filed.

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Salinas, County of Monterey, Calif. Population 1955: 20,000.	As a result housing analysis during health and safety program.	Building official. Fire and health departments may survey also.	Persuasion and education.	Few.	Not available.	Inspections under health and safety program by building official, health and fire depts.	Notification, summons.	New subdivisions require adequate parking and street improvements.	Local press and property owners very co-operative.
San Bernardino, Calif. Population 1956: 83,000.	Uniform Housing Code of International Building Officials adopted.	Building Dept.	Strictly legal.	None.	\$90,000 per year.	Organized city-wide inspection, 10 inspectors.	Building placarded. Registered notice, Bd. of Building Comm. Appeal may be made.	Not reported.	Coloured slides and presentations made to civic groups.
San Francisco, Calif. Population 1950: 775,000.	To comply with "workable program".	Dept. of Public Health. Demolition under Health, Building and Housing Codes.	Persuasion, education, legal action.	Relocation of displaced families.	Not reported.	Not reported.	Fine of not more than \$500 or imprisonment of not more than 6 months.	Not reported.	Citizens participation, Committee for Urban Renewal Planning and Housing Ass'n., United Community Fund.
County of San Mateo, Calif. Population 1960: 450,000.	15 cities in County adopted codes. County Health Dept. staff assist cities in enforcing State Housing Act, Building Code and Fire Code.	Health Dept. in co-operation with Building and Fire Depts.	List specific violations.	Reluctance of owners to spend money.	Salaries of 2 housing sanitarians, \$7,800 ea.	Block by block inspections, 2 State housing sanitarians.	Specific violations and abatement order, then to city attorney and finally court action.	Strict housing program for 12 years. Urban renewal not necessary. Development approved by City Planning Commission.	Press, meetings, residents ask for inspection by survey teams.



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Santa Clara, Calif. Population 1958: 43,000.	Uniform Housing Code.	Building Department.	Persuasion and education.	Not reported.	At least 1 person from Building, Fire and Health Depts. Inspections on complaint, spot checks and block to block survey. Re-inspection where violations.	Letter, interview, letter, re-inspection, letter, Housing Appeals Bd., City Attorney hearing, Court hearing.	Neighbourhood analysis under "workable program".	Conservation promotion through home-owner.
Savannah, Ga. Population 1950: 120,000.	Real Estate Board requested minimum housing ordinance.	Commissioner of Health.	Persuasion, education, legal action.	Indigents, absentees, estates, single ownership of 25 or more properties.	\$30,000 to \$35,000 per year.	First area for enforcement selected by County Health Dept., City Bldg. Inspector, Chief Fire Inspector and Metro. Planning Comm., 1 senior sanitarian, 4 field sanitarians, 1 stenographer.	Notice, second notice after 30 days, third notice, appeal to Comm. of Health, Recorder's Court.	Under Urban Renewal Program.  Public relations program.
Scranton, Pa. Population 1950: 126,000.	Result of "workable program" requirements by the State and Federal Governments.	Public Health Dept.	Education, persuasion and enforcement.	Owners of limited means.	\$10,000	Full time enforcement; 2 inspectors, Dept. of Public Health.	Educational approach but firm.  Improved traffic and parking facilities.	Chamber of Commerce, City Beautiful Ass'n., United Nations International childrens organization, church groups, teachers, press, meetings.

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Shreveport, La. Population 1958: 161,000.	Council of Social Agencies sponsored comprehensive housing survey. Official appointed to encourage rehabilitation but no progress until ordinance passed.	Dept. of Housing Improvement.	Discretionary; appeal to civic pride gets results above Code.	Economic problem.	\$15,700 per year.	City made inspection assisted by building, electrical and plumbing requirements. Director, Secretary, inspector.	Notice, City Court.	Comprehensive community plan incorporated in master plan.	Advisory Committee of 16 persons. Press and presentations to crime, business and professional clubs.
St. Louis, Mo. Population 1950: 857,000.	Comprehensive housing study. Ordinance enacted to curb blight and restore old areas.	Housing Inspector, Building, Division.	Persuasion and legal action.	Hardship cases and rooming houses.	1960 - \$135,000	15 building (district) inspectors; 5 rooming house inspectors; 12 rehabilitation inspectors; 8 electrical inspectors; 13 mechanical inspectors, house-to-house inspections and follow-up in rehabilitation areas.	Notice, State court.	Improved street lighting, parks, play-grounds, paving, Some streets partially closed to reduce traffic.	Literature prepared for distribution by City. Citizen organization in rehabilitation areas.
St. Louis County, Mo.	County Health Dept. recommended rehabilitation study of housing.	County Health Unit.	Education and persuasion.	None in 18 month operation.	\$25,000 per year.	House by house inspection. District Sanitarian for spot complaints.	Notice, civil courts, long-term loans available guaranteed by Federal Government.	Streets, parks, highways, improved with rehabilitation of area.	Citizen participation encouraged to educate others.
Spartanburg, S.C., Population 1957: 42,000.	Citizens Committee	Rehabilitation Commission	Persuasion and education	Satisfactory; easier than anticipated.	\$15,000 to \$20,000 per year.	Complaint inspections. Director, inspector, stenographer and clerk.	Letter, 90 days court.	Street improvements.	Residents interested. Press, radio, T.V., talks to clubs.



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Takoma Park, Md., Population 1950: 13,000.	Housing Code to counteract overcrowding.	Public Welfare Committee and Building Inspector.	Persuasion, education and legal approach	Satisfactory.	Not reported.	Gradual inspection of all dwellings, 1 inspector.	Registered mail, Court action.	No special program.	Enforcement program publicized by City Hall monthly letter.
Toledo, Ohio. Population 1950: 304,000	American Public Health Association Code adopted.	Bureau of Environmental Health and related agencies.	Coercion by final notices to vacate or to placard.	Lack of finances, apathy, social problems.	1959 - \$32,467	Committee of administrators of various city agencies, effect closer liaison; 10 districts according to census tracts, 15 sanitarians, 3 supervisors.	Known violators dealt with quickly. Legal procedure not punitive but provides for progressive work schedule.	Nothing specific reported.	Neighbourhood council sponsored by the Health Department; 45 block leaders in rehabilitation area. Slide and lecture series.

## THE PROGRAM FOR COMMUNITY IMPROVEMENT

Throughout the above summary of "Housing Code Programs", there is frequent reference to the fact that the municipal housing codes were instigated by reason of the "workable program". The "workable program" of 1954 is in brief, a modification of the slum clearance and urban redevelopment programs of 1949 for the prevention and growth of slum conditions. In requesting Congress to enact the necessary legislation, President Dwight E. Eisenhower said:

*In order to clear our slums and blighted areas and to improve our communities, we must eliminate the causes of slums and blight. This is essentially a problem for our cities. However, Federal assistance is justified for communities which face up to the problem of neighborhood decay and undertake long-range programs directed to its prevention. The main elements of such a program should include—*

*First. Prevention of the spread of blight into good areas of the community through strict enforcement of housing and neighborhood standards and strict occupancy control;*

*Second. Rehabilitation of the salvable areas, turning them into sound, healthy neighborhoods by replanning, removing congestion, providing parks and playgrounds, re-organizing streets and traffic, and by facilitating physical rehabilitation of deteriorated structures;*

*Third. Clearance and redevelopment of non-salvable slums.<sup>22</sup>*

The "Program for Community Improvement" requires that a community adopt a "workable program" ensuring effective continuing blight prevention. To that end, there are seven points to which the municipality must subscribe before federal assistance is given towards clearance and renewal activities. It is significant that *more than 1,000 American communities have development programs for Community Improvement in 45 states. Three quarters of these are communities of less than 50,000.*<sup>23</sup>

The seven requirements are as follows:

### 1. Codes and Ordinances

*Sound local housing and building codes must be strictly enforced and zoned regulations are required to implement the community plan.*

### 2. Comprehensive Community Plan

*The plan must have relation to the region, metropolitan or inter-city urban area as well as a guide to future development of the municipality.*

### 3. Neighborhood Analyses

*The analyses are made with the objective of blight prevention.*

### 4. Administrative Organization

*Effective administrative organization is required for community development.*

### 5. Financing

*The financial capacity to build a better community must be shown rather than continuing to invest in past mistakes.*

### 6. Housing for Displaced Families

*Housing must be expanded and made available for all income groups needing to be rehoused.*

### 7. Citizen Participation

*Community-wide citizen participation and public support for an improved community are necessary to the program.<sup>24</sup>*

Because of the many benefits, the impression is gained that there was a readiness on the part of the municipalities to subscribe to the program without realizing the full implication of their commitment. In some instances, there were civic departments who were eager and able to whole-heartedly implement a housing code. In many cases, however, arrangements based on expediency and experience, or the lack of it, had to be arranged in spite of lack of funds and lack of personnel. In addition, public acceptance had to be gained and procedures which would make the courts effective without emphasizing the punitive measures had to be formulated.

However, by 1957, the Housing Administrator of the United States Housing and Home Finance Agency described the effect of the "workable program" as that of a civic revolution. He commented that:

*All communities with workable programs have adopted or are developing housing codes which regulate overcrowding, lack of light and ventilation, and bathing and heating facilities. Many communities are now undertaking to prevent slums by restoring and protecting declining areas through code enforcement, rehabilitation, and other means as a result of analyzing all their neighborhoods under the workable program. Previously, efforts had centered on clearing slums from the worst areas with little action to keep new slums from forming. Under their workable programs, many communities have made greater progress in solving traffic congestion and enabling downtown business areas to expand and prosper by combining urban renewal and redevelopment of blighted areas with plans for major by-passes and thoroughfares. As a result of the workable program, many communities are now giving more attention to providing better public facilities such as parks, schools and playgrounds, in areas that need such attention rather than concentrating their major*

22) Address to the Congress of the United States, 1954, by President Dwight E. Eisenhower, cited by James W. Follin, "The Role and Interest of Private Enterprise in Urban Renewal", Proceedings of the Ontario Urban Renewal Conference, Guild of All Arts, Scarborough, Ontario, October 17, 18, 1957 (Toronto: Ontario Division, Community Planning Association of Canada), pp. 1, 2.

23) Connecticut, Connecticut Development Commission, 4 Planning Division, Urban Renewal, A Comprehensive Approach, C.D.C. File No. F.D.H. 6. 291, December, 1961.

24) Ibid.

*attention in the better areas of town. This new trend helps to keep such areas from getting rundown.*<sup>25</sup>

In a previous publication, which was compiled as part of this study, entitled "Housing Code Programs—A Summary of Experience on Selected American Communities", the importance of citizen committees in the enforcement of minimum standards of occupancy was emphasized. In a number of American cities the citizen committees have conducted educational and promotional campaigns, surveyed housing conditions, advised elected and appointed officials of the administrative procedures to adopt, drafted standard codes and have acted as boards of appeal. The report observes that *in almost every city reporting, an enforcement program consisted of educating the community that minimum standards of maintenance and occupancy were not only desirable to the community, but protected the individual owner's investment.*<sup>26</sup>

As code enforcement is influenced by neighborhood improvement or the lack of it, the greatest success in neighborhood improvement has been found where there is neighborhood identity.<sup>27</sup> But it was *in cities where carefully planned programs were under way, particularly on a project basis, citizen participation was most pronounced.*<sup>28</sup>

John W. Shively, Assistant Commissioner for Technical Standards of the Urban Renewal Administration considers that since the passage of the Housing Act of 1949, that the federal legislation has made a great contribution to code enforcement. D. E. Mackelmann, Commissioner, Community Conservation Board of Chicago predicts that citizen groups will

urge the Federal Government to require local authorities to strengthen code enforcement and that efforts will be made to have the Federal Government give direct financial aid for local enforcement of programs. Mr. Shively has observed that in 1961, there were about five hundred enforcement codes in the United States, contrasted to less than seventy-five in 1954. The number of housing codes is about equal to the number of communities having urban renewal programs. In Mr. Shively's opinion, there has been an improvement both in the enforcement of codes and in their content giving as examples, the development of the mandatory California housing code, and the New York State model housing code.<sup>29</sup>

Dr. Robert C. Weaver, Administrator of the Housing and Home Finance Agency is reported to have directed that in the "workable program" that emphasis be placed on codes, relocation and citizen participation.<sup>30</sup> He has also said that his agency is better equipped than ever before to work with local and state governments for sound programs of community development. He has hastened to add, however, that the programs are not available unless the communities want them and carry out their activities responsibly and democratically.<sup>31</sup>

The American municipal codes would appear to have a reasonable degree of precision. Because of the emphasis of Veiller's earlier work on tenements, there may be a tendency to omit single-family houses or to concentrate on the more obvious declining areas while deterioration advances unnoticed and with greater subtlety in the better neighbourhoods. To some degree there is overlapping in the implementation and enforcement, and generally a lack of budget and experienced personnel to enable total regular inspections.

25) Statement of the Housing Administrator, U.S. Housing and Home Finance Agency, 1957, as cited by James W. Follin, op. cit., p. 3.

26) Ontario, Department of Municipal Affairs, Community Planning Branch, Housing Code Programs, A Summary of Experience on Selected American Communities (Toronto: 1961), p. 6.

27) Ibid., p. 8.

28) Ibid., p. 9.

29) "Federal Aid in Code Enforcement", 28th National Conference Proceedings of the National Association of Housing and Redevelopment Officials, Journal of Housing, December, 1961, p. 517.

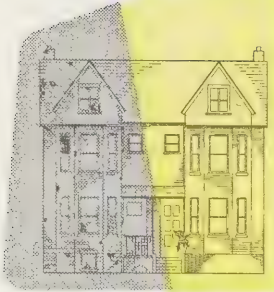
30) Ibid.

31) "National Renewal Goals", 28th National Conference Proceedings of The National Association of Housing and Redevelopment Officials, op. cit., p. 497.



## CHAPTER VII

# THE ADOPTION OF MAINTENANCE STANDARDS OF HOUSING IN CANADA



### UPPER CANADA—ONTARIO

*The epidemic of cholera, 1832-34, stimulated the Legislature of Upper Canada to action and an act to establish Boards of Health was passed by that body. From this time to 1848 there was little or no activity.<sup>1</sup>*

There were outbreaks of typhus from 1845 to 1847 and cholera in 1849 and this prompted the establishment in 1849 of a Central Board of Health by the government of the United Canadas. Further outbreaks of cholera in 1854, 1855 and 1866 brought about regulations against disease.<sup>2</sup>

In 1867, following confederation and the formation of a national government, the Legislature of the United Canadas ceased. Upper Canada became the Province of Ontario and The Public Health Act was enacted by the Ontario Legislature in 1873. This act permitted local municipal representatives to form local Health Committees which were the forerunners of Boards of Health and fifty of these committees were appointed between 1873 and 1882. Following a severe outbreak of yellow fever in 1877, the Legislature named a Select Committee in 1878 to report on the subject of sanitary measures for maintaining and promoting public health.<sup>3</sup>

The Select Committee found that poor drainage was endangering water supplies and that drainage and ventilation of cellars were almost universally neglected. The situation was aggravated in many instances by the decomposition of organic excrements, and decayed vegetables. In addition, slaughter houses and cemeteries were not kept in a sanitary condition. The medical practitioners who forwarded recommendations to the Committee emphasized the importance of pure water, pure air, sewerage, and better drainage including subsoil drainage and drainage of swampy lands.<sup>4</sup>

Doctor James H. Richardson who was in charge of the medical care at the Toronto Jail was most critical of drainage of sewage from the jail being permitted to go into the Don River instead of into tanks. Doctor C. O'Reilly, Superintendent of the Toronto General Hospital, observed *that a good supply of water*

*is most necessary to keep the pipes clear and for this reason sewers should not be constructed in towns till a good water supply is obtained.<sup>5</sup>*

The Select Committee made its report in 1878 and by 1881 there was a general agitation for a permanent central health organization for Ontario. This came about with the passage in 1882 of "An Act to establish a Provincial Board of Health, and to give increased powers to local Boards of Health" or in short form, The Public Health Act, 1882. Doctor Peter H. Bryce was appointed permanent Secretary, a position he retained until 1904 when he became Chief Medical Inspector for the Federal Department of Interior and Indian Affairs.<sup>6</sup> The new legislation required that:

*The Provincial Board of Health (. . .) shall make sanitary investigations and inquiries respecting causes of disease, and especially of epidemics; the causes of mortality and the effects of localities, employments, conditions, habits and other circumstances upon the health of the people; (. . .) and they shall (. . .) advise officers of the Government and Local Boards of Health in regard to the public health and as to the means to be adopted to secure the same, and as to location, drainage, water supply, disposal of excreta, heating and ventilation of any public institution or building.<sup>7</sup>*

An amount of \$4000 was voted by the Legislature to pay the half-time Secretary of the Board and for travelling and other expenses. The importance of the individual in the key post of Secretary was recognized by the Premier, Sir Oliver Mowat. Speaking to Doctor Bryce, he said: *We have just passed this health legislation but have little knowledge of just what there is to do, or of its extent, but in any case, Dr. Bryce, its success will wholly depend on your energies.* Two years later in 1884, Doctor Bryce persuaded Premier Mowat to pass The Public Health Act which is the basis of the present Health Act founded upon the English legislation.<sup>8</sup>

The conditions of the times are reflected in an observation in the first annual report of the Provincial Board of Health which reads as follows:

*How few houses in the land have arrangements made in them for good ventilation and rational systems of warming; how few households take precaution against the infection of wells, and the*

1) John W. S. McCullough, "Early History of Public Health in Upper and Lower Canada", 1910-20, A Review of Ten Years of Progress (Ontario Provincial Board of Health, 1921), p. 21.

2) Ibid.

3) Ibid.

4) Ontario, Report of a Select Committee on Public Health to the Legislative Assembly of Ontario, 1878, Ontario Public Health Reports 1878-83, pp. 1, 2.

5) Ibid., p. 13.

6) John W. S. McCullough, op. cit., pp. 21, 23.

7) Revised Statutes of Ontario, 45 Vict., chap. 29, "An Act to establish a Provincial Board of Health, and to give increased powers to Local Boards of Health."

8) John W. S. McCullough, op. cit., p. 23.

*air of their houses by cesspools and open privies; and how few villages, towns and cities have adopted any systematic cleansing of streets or house-premises, or have adopted precautions against the spread of infectious disease by the isolation of the sick, or by preventing children from infected families spreading the contagion in the public schools.*<sup>9</sup>

However due to great dedication and effort, progress was made and by 1902 the first field work in sewage disposal was undertaken at Berlin (Kitchener) and laboratory "check off" in connection with the "ozone" purification of a municipal water supply took place at Lindsay the same year. Protection of summer properties was commenced in 1904 with investigation of sanitary conditions of the Muskoka and Kawartha Lakes districts.<sup>10</sup>

At the present time it is possible but sometimes difficult for a Medical Officer of Health to require premises to be improved or vacated because of lack of cleanliness, and improper heating and sanitation. County Health Units have been organized and sanitary inspectors make inspections of commercial, industrial and residential premises as well as land which is under application for subdivision.

It should also be recalled that The Municipal Act for Ontario was first enacted in 1849. Although the history of that Act has not been explored, it has developed to the point that municipalities may pass by-laws governing building and repairs of dwellings, the zoning of land and the size and bulk of buildings. The latter two items have recently been included as part of The Planning Act which was first enacted in 1946. Matters relating to fire protection, the installation of plumbing and electrical facilities also may be regulated.

However, the regulation of a standard of occupancy for dwellings can be achieved only by the passage of a private bill through the Legislature for the municipality concerned. Three municipalities, viz. Toronto (1936), Ottawa (1952), and Windsor (1958) have taken this action to date.

#### OTHER PROVINCES

In every province there is legislation which has a bearing on standards of occupancy for dwellings which, in a general way, might be described as a health act, a municipal act, statutory authority for community planning and municipal charters. However, this type of legislation in practice becomes permissive in effect depending on the policy of the local government and the initiative of its administrative personnel. It is also directed towards certain standards of performance for particular purposes rather than at a comprehensive approach to the standard of occupancy. Exception in terms of legislation are the Provinces of New Brunswick and Nova Scotia, where municipalities may under

certain circumstances enact standards of occupancy by-laws. It is possible also in Manitoba to achieve the same result because of the provisions of the Provincial Public Health Act. However, in the course of this study, it was found that in no instance was there an organized systematic program of blight prevention based upon any long-range, neighborhood, planning program.<sup>11</sup> It was also observed that:

*Major obstacles identified during the field visits to long-range systematic approaches to the prevention of blight through by-law enforcement included:*

- (a) *Multiplicity of regulations and multiplicity of administrative agencies with resultant overlapping;*
- (b) *Conflict over principles and methods on the part of administrative personnel;*
- (c) *Failure by governing bodies to offer guidance on overall enforcement policies to municipal officers;*
- (d) *Insufficient resources to enable limited planning staffs to study the problem and recommend measures;*
- (e) *Use of a strict legal approach with resulting legal delays. Loopholes in "vague" legislation and discouragement on the part of interested officials;*
- (f) *Lack of appreciation of the potential magnitude of the problem in the next two decades;*
- (g) *Insufficient auxiliary aids such as citizen participation, alternative income-related accommodation, and government backed financing for mortgages on used real estate.*<sup>12</sup>

#### STANDARD OF OCCUPANCY BY-LAWS

##### NEW BRUNSWICK

The Housing Commission Act of 1935 is a comprehensive attempt to co-ordinate, under one administration, a program of conservation, rehabilitation and redevelopment. A Housing Commission has power to establish a housing code; to enforce the standards of the code; and to prescribe penalties for violations. It may also perform work of a repair nature; issue a closing order; demolish a house; and lend money for repair work. A municipality wishing to have a Housing Commission makes the request to the Provincial Government who may create the Housing Commission by Cabinet fiat. Because of the wide powers of a Commission, the government exercises discretion as to whether or not a municipality is equipped to have such an authority. By reason of a 1960 amendment, a local authority may act for, in lieu of or with the Housing

<sup>9</sup> Ontario, First Annual Report of the Provincial Board of Health of Ontario, 1882, Ontario Public Health Reports 1878-83 (Toronto: C. Blackett Robinson, 1883), p. xi.

<sup>10</sup> Ibid., p. 31.

<sup>11</sup> Ontario, Department of Municipal Affairs, Community Planning Branch, A Better Place to Live, A Study on Minimum Standards of Occupancy and Maintenance of Dwellings. "Second Interim Report" (Toronto: 1961), p. 6.

<sup>12</sup> Ibid., p. 7.



Commission with the exception of making loans for provisions of houses and management and control of housing projects.<sup>13</sup>

Unfortunately, the application of a Commission's powers in establishing a housing code has not been done in any instance. Unsuccessful efforts to do this in the City of St. John were made in 1950.

This is an example of ambitious, comprehensive provincial legislation which as yet in terms of establishing standards of occupancy has not been effected in the local municipalities.

#### NOVA SCOTIA

The Towns Incorporation Act permits municipalities to adopt minimum standards of occupancy by-laws including regulations of appearance and construction.<sup>14</sup> Both the cities of Halifax and Yarmouth have passed local by-laws under this legislation. However, the Halifax Minimum Housing Ordinance 50 is directed mainly to consideration of health and safety with no regulation of appearance and only minor standards of fitness. Ordinance 50, unfortunately, is an example of a standard in certain circumstances which is not only outmoded but was too low to the outset. Doctor Gordon Stephenson has provided the following example:

*In order to determine the extent of overcrowding in the Study Area it was necessary to establish a standard. Ordinance 50 is not helpful in this respect. Sections 1 and 2 of clause 4 define space standards, but they are miserably low. They would allow a family of four, for example, husband and wife with an eleven year old boy and a ten year old girl, to be squeezed into two rooms with a combined area of 160 square feet. Their total accommodation would fit into the living-room of a normal small house.<sup>15</sup>*

The Yarmouth Housing Code is towards health and safety consideration. It does not provide for the appointment of inspectors and hence does not authorize entry or inspection of dwellings. Occupancy is not regulated.

Although the enabling legislation is not being fully used in terms of effecting standards, it is available when a municipality is ready to implement a housing standards program.

#### ONTARIO CITIES OF TORONTO, OTTAWA, WINDSOR

Following the investigations of the Bruce Report of 1934, the City of TORONTO Council sought authority

from the Legislature of Ontario to enact a standard of fitness housing by-law. The by-law (No. 14466) was passed in 1936 and revised slightly in 1941. In addition to standards, the by-law made provision for small loans for repairs but no permission to put a lien against the property.

It might be said that the by-law was on the books but had relatively little effect until the City Board of Control renewed their interest in 1955. As a result, the legislation of 1956 gave the City greater powers of enforcement. Permission for maximum loans was increased to a maximum of \$2000 and the loans were secured by lien against the property.

When a loan is made on a property where there is a mortgage, the person or corporation holding the mortgage is advised with the result that the mortgage is often increased to an amount to cover the necessary repairs and the lien removed as it has first priority against the property.

Inspections are now taking place under the direction of the Buildings and Development Department and with the active co-operation of other departments where necessary. Areas of inspection are first of all on a priority basis but ultimately the entire city will be inspected. Every effort is made to assist in having the dwellings brought up to standard but if necessary the owners may be summoned to court.

The OTTAWA minimum standards by-law came into effect in 1952 and the Windsor by-law followed in 1958. Both resulted from a special enactment of the Legislature giving the cities the necessary permission.

The WINDSOR by-law is probably more precise than Toronto's or Ottawa's but all three are concerned for the most part with the same items. There are slight variations in standards. The following classifications and the items thereunder indicate something of the scope of the by-laws. Facilities and equipment standards include lighting, ventilation, garbage and waste, storage, heating, fuel storage, water supply, sewage disposal, sinks and water closets, egress, and the storage of food. Items of maintenance are general sanitary conditions, sanitary equipment, chimneys and flues, the prevention of fire hazards, rodent control, internal and external structural repair, walls, foundations and freedom from dampness. Conditions of occupancy relate to basement habitation, and area per person for sleeping accommodation, dwellings as places for storage, the cooking of food in rooms used for sleeping, the number of persons per room and the segregation of sexes in rooms for sleeping.

The success of the standard of occupancy by-law in each of the three cities will depend upon the availability of alternative accommodations, the degree of official support, the adequacy of the administrative personnel, the interpretation of the objectives of the program to the general public, the co-operation of the courts and reviewing tribunals, and sufficient funds.

<sup>13</sup> Revised Statutes of New Brunswick, 1952, chap. 107, "The Housing Commission Act" (as amended 1960).

<sup>14</sup> Revised Statutes of Nova Scotia, 1954, chap. 293, "The Towns Incorporation Act".

<sup>15</sup> Gordon Stephenson, A Redevelopment Study of Halifax, Nova Scotia, (Toronto: University of Toronto Press, 1957), p. 46.



## MANITOBA

Housing standards of occupancy in the Province of Manitoba are governed by regulations to the Public Health Act. The regulations are presently in the process of consolidation in order that they may be more effective and more easily located and better understood. Nevertheless, at the present time, where the regulations are implemented as part of a continuous community health program, they have been a positive force in the prevention of blight and in improved housing conditions.

By using provincial regulations, the practice of avoiding standards by moving from one municipality where the requirements are high to one where there are none could be avoided. Obviously, the effectiveness however depends on each municipality's willingness to ensure that housing conditions are not permitted to deteriorate and that the provincial regulations are recognized and put into effect. Having provincial regulations also lessens the pressure on local authorities to downgrade standards to meet the prevailing conditions.

The City of Winnipeg, through its Housing Division of the Health Department, has found that reliance upon the provincial standards of occupancy has been of tremendous assistance. George W. Kelly, Principal Inspector of the Housing Division in a statement approved by E. J. Rigby, the Chief Health Inspector, records his views as follows:

*The Manitoba Regulations, tested in the crucible of enforcement, have no parallel, in any other province or any state in the U.S.A. It should be relatively apparent that it is undesirable to have minimum housing standards which vary from municipality to municipality, each local by-law reflecting the peculiar whims of local officials and politicians. Manitoba has proved the workability of regulations pertaining to housing created at the provincial level for enforcement by municipal employees.*

*(. . .) [The regulations] are enforceable, even including the most recent requirement of June 1960 that every rented house contain a bath, lavatory, basin and hot water supply in addition to the toilet, sink and cold water supply previously required. (. . .)*

*You will recall that this Department issued a report in June 1961, reporting that in house-to-house inspections in the central part of the City we had inspected 324 houses and that 200 of them contained violations of the health regulations. We have just completed our first re-check of these 200 houses and find full compliance of the health regulations in 103 (including several demolitions) and partial compliance in 45. The electrical, building, and fire inspectors have acted on our referrals and although we have not been keeping score on the remedying of safety hazards, we do know they are making good progress.*

*(. . .) [The house-to-house] program is novel for the following reasons: It is not merely a survey for the purpose of gathering information: it is a program to find health hazards and remedy them, not in the nebulous future but now. It is a program to actively enforce the most exacting health regulations in Canada, uncrippled by recognition of any pre-existing non-conforming rights. It is a program being carried out solely by public health inspectors, other kinds of inspectors becoming involved only when specific referrals are made to them by the Health Department. (. . .) Finally, there is the novelty of our public health inspectors directing as much of their effort to the finding of hazards to safety as to the discovery of hazards of health.*

*Any success that we have had in housing inspection in Winnipeg can be attributed primarily to a re-organization of the health inspection services in this City in 1955. Since that time Winnipeg has been the only Canadian city with a group of public health inspectors devoting their full time to housing without the distraction of any other duties or responsibilities.<sup>16</sup>*

Mr. Kelly's letter underlines that here is an enforceable program undertaken by full-time health inspectors who are identifying health and safety problems and having them corrected in the immediate future.

## THE NATIONAL BUILDING CODE

The National Research Council was organized in 1916 as an agency of the Government of Canada but not within a departmental framework. Special Committees, now called Associate Committees, composed of persons who are appointed because of their ability and knowledge in a particular field or profession, study topics which are worthy of investigation by the National Research Council.

The first meeting in respect to building problems was held in 1933 and concerned the need for building regulations which could be applied with modification throughout the whole country. Because of the interest of the Department of Finance in the housing program, a Joint Administrative Committee on a National Building Code was appointed by the Department and the Research Council in 1937. The work of the Committee was successful in 1941 in producing for distribution, 5,000 copies of the National Building Code. Because of the need for a shorter form of building code for the smaller municipalities, one was prepared and published in 1946.

A new Associate Committee on the National Building Code was appointed in 1948 which was the responsibility of only the Council. This Committee was required to further the development of National Codes of practice for building construction and to assist in the promotion of uniformity in local building

<sup>16</sup> Excerpts from a letter from G. W. Kelly, Principal Inspector, Housing Division, Health Department, City of Winnipeg, Manitoba, November 30, 1961.

*requirements.*<sup>17</sup> Meetings were held with building officials and representatives of each province participated in the discussions. In Ontario, an inter-departmental committee composed of provincial officials whose responsibilities required them to have an interest in building regulations was organized under the chairmanship of A. E. K. Bunnell and the substance of the deliberations were conveyed to the national committee. Arising from the discussion and the recommendations of many people, the Associate Committee published the revised National Building Code in 1954. In an endeavour that the code may be contemporary, at all times, special advisory groups on fire, health and structure met from time to time to advise on revisions.

Although the National Building Code, on adoption by a municipality, regulates new construction and repairs, there is provision requiring the owner to correct dangerous or unsafe conditions. There are also regulations covering sanitation, light and ventilation and the inspection officer has authority to deal with plumbing in existing buildings. The fire protection and safe egress regulations have provoked much argument concerning the respective areas of jurisdiction of fire protection departments and building departments. Matters of light and ventilation are now more frequently taken care of by health departments.<sup>18</sup>

The National Building Code has done much to bring about minimum construction standards and it is of sufficient breadth that where necessary it might be used to advantage to a limited extent to improve standards of occupancy, within existing dwellings.

In spite of the progress which has been made and which is continuing, there is a constant need to evaluate whether or not existing legislation and practice is meeting current occupancy problems. In actual fact, only a few municipalities have an integrated standards of occupancy program. These are operating in spite of handicaps.

Two items, one hundred years apart, put the question of progress and accomplishment in sharp relief. In 1834, the Medical Board directed to the attention of the Mayor and Aldermen of Toronto, the most deplorable state of filth and uncleanness. In 1934, the Lieutenant-Governor was most exercised about the *slum districts* which he described as *areas of misery and degradation which exert an unhappy environmental influence upon many of our cities.*<sup>19</sup> There are still housing conditions which should be prevented and overcome long before the turn of the next century.

17) National Research Council, Associate Committee on the National Building Code, Building Code—Code du Batiment, Bulletin No. 1, April, 1950, p. 5.

18) E. G. Simpson, 'Existing Buildings—Inspectors' Problems', Proceedings, 1958 Building Officials Conference of Canada (Ottawa: Associate Committee on the National Building Code, National Research Council, 1958).

19) Report of the Lieutenant-Governor's Committee on Housing Conditions (Bruce Report) (Toronto: 1934), p. 5.





### PART III

## COMMUNITY CONSERVATION

The worth of a housing standards program is in direct relation to its acceptance, application, enforcement, and the financial ability to make improvements. None of these factors are without dependence on the others. If there is the proper understanding and acceptance of the purpose of the program, then there may be a logical rather than an emotional approach to its application. Consequently, compliance with prescribed standards both of a voluntary and induced nature is dependent upon the degree of acceptance and application, which in turn, may be influenced by financial circumstances. But compliance will not reach its full maturity unless related to and high-lighted as a vital part of a community planning program.





## CHAPTER VIII

# AN ENFORCEMENT PROGRAM FOR STANDARDS OF OCCUPANCY



### LEGISLATION

Considerable improvements can result from the existing legislation if there is co-operation by all the agencies concerned.

Usually new by-laws are more effective inasmuch as they cover the deficiencies of the

previous legislation and integrate various purposes under the one by-law and under one administration. The stimulus of interest, thus engendered at the official administrative level, passes on to the householder. If one or two people show confidence in making improvements, it encourages others.

In the United States, a number of codes, ordinances and by-laws have been developed, which, with modification, may be applied to a variety of situations. However, it is well to recall Veiller's warning that each by-law should be fitted to the circumstances of the municipality rather than simply imposed.<sup>1</sup>

In Canada, comprehensive by-laws are possible under the New Brunswick and Nova Scotia legislation and in Ontario by private bill. In contrast, however, is the Manitoba health legislation which, if implemented by the municipalities, applies the same standards right across the province. The City of Winnipeg has rejected the idea of separate controls and finds the provincial legislation most adequate and effective.

Aids in formulating standards of occupancy by-laws may be found in such precedents as the enabling legislation of New Brunswick and Nova Scotia; the Manitoba provincial health legislation and pertinent regulations; the private bills introduced in the Ontario Legislature to permit Toronto, Ottawa and Windsor to have standards of occupancy by-laws and subsequent by-laws; the New York Model By-law; the American Public Health Association Model By-law; and model by-laws which have been developed by the International Conference of Building Officials and the National Institute of Municipal Law Officers.

### RESPONSIBILITY FOR ENFORCEMENT

The designation of the department or person responsible for an enforcement program is very important. It is equally important that other departments or persons whose assistance is required are instructed to give complete co-operation to the enforcement agency.

If a program is basically orientated on public health, then the Medical Officer of Health is the logical

chief enforcement officer. However, as certain aspects are the responsibility of other agencies, some co-ordinating arrangement will have to be devised. In bringing about a comprehensive approach to inspections and standards of dwellings, there may be difficulties for a time due to personal bias and overlapping areas of jurisdiction.

Building departments are frequently responsible for enforcement and administration in the United States. In Halifax and Windsor, standards of occupancy programs and enforcement are under the building departments; in Winnipeg under the health department. In Toronto and Ottawa, separate agencies have been created.

Although there are problems of overlapping local jurisdictions, and the question of precedence of authority, there are also the problems of the lack of trained staff and the kind of training required. Wherever possible, those responsible for inspections should be trained for the job and employed full-time on it. A knowledge of structure, fire prevention, public health, plumbing, wiring, dwelling maintenance, and public persuasion would appear most beneficial. Whether or not all these items should be a matter for one inspector or several or referred from one to another will depend on the legislation and form of administrative organization. Procedures will vary somewhat from a rural municipality to a completely urban city or to a metropolitan municipality composed of both rural and urban areas.

### COSTS

The costs of a number of American municipal enforcement programs have been given in Chapter VI. Examples of costs of municipal enforcement programs in Canada are \$22,500 for Ottawa, \$101,000 for Toronto, and about \$40,000 for Winnipeg. The cost of the enforcement program in Windsor, Ontario is, at present, absorbed by the Building Department.

### PHILOSOPHY

Barnet Lieberman, Commissioner, Department of Licenses and Inspections at Philadelphia, is of the opinion that the words, code administration, should be used instead of code enforcement. He believes that the underlying philosophy should be that of using authority to preserve sound structures and rehabilitate deteriorating structures instead of the apprehension of those contravening the law.<sup>2</sup>

1) Supra, Chap. VI.

2) Barnet Lieberman, "Code Enforcement—A Neglected Tool in Planning and Urban Renewal", Planning 1961 (Chicago: American Society of Planning Officials, 1961).

## PROBLEMS FROM ENFORCEMENT

It was observed earlier that when the British standards were raised, in certain areas in 1890, that other areas were further depressed by those who had moved or who were required to move by reason of enforcement measures.<sup>3</sup> David Einhorn cautions that enforcement of rehabilitation in parts of Chicago has resulted in increased rents of over 300 per cent and the mass emigration of tenants.<sup>4</sup> It is probably true of most slum clearance projects too that many people move from the cleared area to similar or worse conditions. However, this in itself must not be allowed to obstruct improvement programs. What is urgently required in almost every instance is that where sub-standard accommodation must be vacated, suitable alternative accommodation is available at rates which the persons affected may afford and that the persons affected know about it. Without such an alternative, the enforcement program will be limited in its application, and community acceptance will be retarded.

## ENFORCEMENT POLICY

A strictly legal approach has not been successful in its accomplishments, but legal power is nevertheless required. Persuasion and education have been generally effective. Legal enforcement has been hampered by lack of proper presentation, and lack of precedent. However, when the bench, over a period of time, comes to understand how the program is functioning and when cases are properly presented, the decisions become more meaningful. But, if the regulations and by-laws are not firmly grounded on sound authority, the court can do little.

In Baltimore, this situation has been greatly assisted by a special housing court. In some American cities, there are intermediary boards to which a case is referred before going into court. In the Canadian cities where there are standards of occupancy programs, it is a matter of going into the regular courts but only after every other procedure fails.

## AIDS TOWARDS COMPLIANCE

A standards of occupancy by-law is only a part of a conservation program. It will have support and acceptance if there is understanding of its purpose. Community acceptance will be even greater if there are adequate funds to repair and rehabilitate houses. Responsible inspectors know what expenditure should be made but in many instances the owner cannot afford it. However, with the proper legislation, the municipality itself may either lend the money for repairs, pay for the costs, or perform the necessary work and charge the expenditure as a lien against the property.

Financial aid is generally limited to "hardship" cases and in Toronto, Ottawa and Windsor, there is provision for the cities to make loans. However, the use of this provision has been most limited and there

are no indications that the municipalities are anxious to make numerous loans. Home Improvement Loans may also be obtained through banks by individuals providing that the borrower can show sufficient evidence of his ability to repay the loan. These loans are of a maximum of \$4,000 for the first dwelling unit and \$1,500 for each additional unit and may extend for a period as long as ten years. The current rate of interest is 6 per cent per annum. The loans are guaranteed by the Federal Government to the lender. Although the loans are helpful and have been used usually for incompleting houses on the fringe areas, the program has not been extensive. Loans are seldom used to rehabilitate a house in the older residential sections. In the United States, the Home Improvement Loans may be as high as \$10,000 per dwelling unit and repaid over a period of twenty years.

In Ottawa, Toronto, Windsor and Winnipeg, technical assistance is given as to how repairs may be made. In Cleveland, Ohio, there are "Neighborhood Improvement Centers" from which "housing experts" make neighborhood inspections. The "Neighborhood Improvement Centers" are established in areas only on request of citizen organizations and upon evidence of community interest. They are staffed by city employees and volunteers and are an integral part of the improvement program. Technical advice and assistance is readily available.<sup>5</sup>

The size, in terms of staff, for various American enforcement agencies, has been given in Chapter VI. In Toronto, there is one Chief Inspector and fourteen field men who are engaged in area surveys and inspections on complaint. Inspectors from other departments may be called where necessary. Ultimately, it is envisaged that there will be a complete inspection of the entire city on a continuing basis. The care in which inspection, compliance and enforcement is accomplished is indicated by the statistics. In 1961 there were 32,090 inspections and 3,152 compliances including 57 demolitions.<sup>6</sup>

The administrative head of the Ottawa Housing Standards Board is the Co-ordinator of Housing. In addition there is the Chief Inspector, two field inspectors and one stenographer. Where required, team inspections composed of health, fire and buildings inspectors accompany the Chief Inspector to make inspections from the point of view of the Housing Standards By-law. A Technical Committee composed of the Vice Chairman of the Housing Standards Board (who is the Co-ordinator of Housing), the Building Inspector, the Medical Officer of Health, and the Chief Inspector of the Housing Standards Board or their delegates make recommendations to the Housing Standards Board as to the action which should be taken. Appeals may be taken to the Ontario Municipal Board.

In Windsor, a special committee writes to the householders in each pilot survey area advising them

5) United States, Housing and Home Finance Agency, Cleveland's Neighborhood Improvement Program, Urban Renewal Service Bulletin 3 (Washington: Urban Renewal Administration, 1961).

6) F. W. Wellwood, Commissioner of Buildings, City of Toronto, personal interview.

3) Supra, Chap. v.

4) David Einhorn, "Books for 1961, Planning 1961", New York Chapter Newsletter, American Institute of Planners, November 1961-January 1962, p. 16.



of the forthcoming inspection and asking their full co-operation. Inspections are made by the regular city building inspectors when time permits.

*As of February 1st, 1962 Inspectors from the Building, Fire and Board of Health Departments have been devoting one day per week on inspections of houses in a predesignated pilot area. . . The reception by the public of the inspectors undertaking this work has been excellent; this was helped by the introductory letter sent out prior to the inspectors, and so far there have been no refusals.*

*It is anticipated that when the field inspection is complete, and the compilation of data is made, that meetings will be held with the residents in this pilot block in the month of May, when points on the ways and means of improving the residences in this area will be taken up. Along with this, meetings will be held with other departments as to the improvements of services such as roads, sidewalks, etc.*

*Although there are many problems yet to be solved, the major one being the financial position of these residents, it is felt from the experience gained so far that the work undertaken will bear results in the affirmative affording a continuing program in upgrading the level of our housing stock.<sup>7</sup>*

The public health inspectors in Winnipeg who make housing inspections do so mostly on an area basis and are employed in this capacity on a full time basis. They are given an intensive ten months' training course and their competence is such that they are able to act also as plumbing inspectors. Although one public health inspector is well qualified to make a complete housing inspection, there is a highly organized integrated system of referrals to other departments where warranted.

The information shown in Table 1 summarizes the activity of the enforcement program in Winnipeg. It is particularly interesting to note that the inspections have been of such insight that there have been referrals to both the Children's Aid Society and the Welfare Department. The cost of repairs resulting from the enforcement order are estimated in Table 2.

The effectiveness of this program in Winnipeg has been proved as a precedent for other Manitoba municipalities who wish to enforce the provincial health regulations with respect to standards of housing.

*Table 1                    Housing Division  
                                 City Health Department  
                                 Winnipeg, Manitoba  
                                 Annual Report - 1961*

<i>Primary inspections of dwellings .....</i>	<i>513</i>
<i>Primary inspections of rooming houses and lodging houses .....</i>	<i>433</i>

<i>Primary inspections of apartment blocks, duplexes, dwellings connected to commercial premises, hotels, nursing homes, welfare institutions .....</i>	<i>329</i>
<i>Other inspections and reinspections .....</i>	<i>6827</i>
	<hr/> <i>8102</i>

*Violations of the Health Act Regulations remedied during the year under orders from the Housing Division:*

<i>Overcrowding remedied .....</i>	<i>92 families</i>
<i>Damp or dark cellars vacated .....</i>	<i>29 cellars</i>
<i>Dark, low ceilinged attics vacated.....</i>	<i>23 attics</i>
<i>Additional windows constructed in previously dark attics .....</i>	<i>35 attics</i>
<i>Bed bugs exterminated .....</i>	<i>130 buildings</i>
<i>Cockroaches exterminated .....</i>	<i>38 buildings</i>
<i>Rats exterminated .....</i>	<i>28 properties</i>
<i>Mice exterminated .....</i>	<i>70 buildings</i>
<i>Defective cellars repaired .....</i>	<i>42 buildings</i>
<i>Leaky roofs repaired .....</i>	<i>51 buildings</i>
<i>Walls, ceilings, floors repaired .....</i>	<i>238 buildings</i>
<i>Defective eavestroughing repaired or renewed .....</i>	<i>50 buildings</i>
<i>Defective heating equipment repaired or renewed .....</i>	<i>130 buildings</i>
<i>Fly screens and/or storm sashes provided .....</i>	<i>237 buildings</i>
<i>Defective plumbing repaired .....</i>	<i>254 buildings</i>
<i>Additional plumbing installed to comply with regulations .....</i>	<i>332 buildings</i>
<i>Hot water facilities provided or improved</i>	<i>101 buildings</i>
<i>Additional heat provided .....</i>	<i>281 buildings</i>
<i>Redecorated .....</i>	<i>309 buildings</i>
<i>Garbage nuisances corrected .....</i>	<i>107 properties</i>
<i>Gas stoves removed from bedrooms ....</i>	<i>82 buildings</i>
<i>Leaky gas stoves repaired or renewed ....</i>	<i>3 buildings</i>
<i>Floor coverings renewed .....</i>	<i>82 buildings</i>
<i>Additional electric light provided .....</i>	<i>108 buildings</i>
<i>Blinds provided for windows .....</i>	<i>37 buildings</i>
<i>Filthy or torn mattresses or bedding cleansed, repaired or renewed .....</i>	<i>44 buildings</i>
<i>Filthy or dilapidated furniture cleaned, repaired, or renewed .....</i>	<i>11 buildings</i>
<i>Floors, walls washed .....</i>	<i>136 buildings</i>
<i>Miscellaneous defects remedied .....</i>	<i>286 buildings</i>
<i>Notices issued:</i>	
<i>Verbal warnings:</i>	<i>3496</i>
<i>Formal notices:</i>	<i>1909</i>
<i>Complaints attended to:</i>	
<i>Lack of heat:</i>	<i>349</i>
<i>Other complaints:</i>	<i>1104</i>
<i>Houses placarded "Unsanitary" -</i>	<i>20</i>
<i>9 Police Court summonses issued     (5 convictions, 1 dismissal, 3 withdrawals)</i>	
<i>Convictions:</i>	<i>Fines</i>
<i>Insufficient heat .....</i>	<i>\$53.30</i>
<i>Use of cellar for sleeping purposes .....</i>	<i>23.30</i>
<i>Inadequate supply of hot water .....</i>	<i>13.30</i>
<i>Fail to exterminate cockroaches.....</i>	<i>18.30</i>
<i>Fail to exterminate mice .....</i>	<i>20.20</i>

*Total fines (including costs of court)        \$128.40*

<sup>7</sup>) City of Windsor, Interim Report on Minimum Standards of Housing Enforcement Program, Windsor, April, 1962.

Violations of other by-laws discovered by our inspectors and referred in writing to the proper departments for their action:

Electrical inspectors—hazardous wiring	340 buildings
Fire inspectors—fire hazards	81 buildings
Building inspectors—	
other safety hazards	232 buildings
Zoning inspectors—zoning violations	14 buildings
Plumbing inspectors—illegally	
installed plumbing	7 buildings
Weed inspector	5 properties
Children's Aid Society	7 families
Public Welfare Department	5 families
Gas Company—leaks	4 buildings
Other Referrals	4 buildings
<hr/>	
Total referrals in writing	699

The above-listed referrals have been given attention by the various civic and metropolitan departments and agencies, and hundreds of hazards to safety have been remedied.

Table 2                      Housing Division  
                                 City Health Department  
                                 Winnipeg, Manitoba

*\*Estimated costs of repairs made during  
1961 under orders of the Housing Division*

Additional plumbing fixtures installed,	
332 buildings .....	\$101,600
Hot Water facilities provided or	
improved 101 buildings .....	7,890
Repair of defective plumbing, 254 buildings	5,080

Repair or renewal of roof coverings, 51 buildings	5,100
Repair of floors, walls, ceilings,	
doors, etc. 238 buildings .....	71,400
Provision of fly screens and	
storm sashes 237 buildings .....	8,295
Redecorating 309 buildings .....	61,800
Construction of additional dormer windows	
in attic rooms to provide more	
natural light, 35 houses .....	10,500
Repair of cellars or renewal of board	
walls with concrete, 42 houses .....	4,200
Repair or renewal of defective heating equip-	
ment in 130 buildings plus, in other buildings,	
revamping of duct work and, in some cases,	
installation of thermostats to make the systems	
capable of adequately heating all parts ....	44,000
Repair or renewal of eavestroughing,	
50 buildings .....	2,500
<hr/>	
	\$322,365

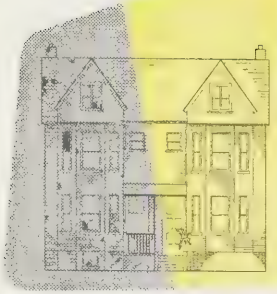
\*In addition to the foregoing we estimate that our referrals of 340 buildings to the electrical inspectors, plus rewiring of many houses necessitated by the required substitution of gas stoves in bedrooms in rooming houses by electrical cooking equipment, resulted in about \$55,000 in electrical work during the year. Also, our referrals of 232 buildings to the building inspectors probably resulted in more than \$10,000 in repairing hazards to safety and in construction of fire escapes. High in intangible values, have been the removal of sources of irritation and annoyance and the ironing out of disputes between landlord and tenant.<sup>8</sup>

<sup>8</sup>) Letter from G. W. Kelly, Principal Inspector, Housing Division, City Health Department, Winnipeg, Manitoba, February 20, 1962.



## CHAPTER IX

# PLANNING AND URBAN RENEWAL



Community Planning is an ideal which is never reached, but the effort made to attain the goal determines the direction and the quality of the development of the community. The meaning of community planning and the priority of emphasis will vary according

to the environment and the people in it. However, in terms of official policy in Ontario, Colonel A. L. S. Nash, Director of the Community Planning Branch, has defined it in these words:

*Community planning, as envisaged in The Planning Act and accepted as a policy basis by Provincial and municipal governments in Ontario, means: first, continuing studies of the physical, economic and social features of the community; second, analysis of these studies to develop the possible pattern and program for community growth and improvement, and third, implementation of proposals by suitable policies and actions. Its single aim is a better community and... urban renewal is simply the implementation of this general plan in regard to already built-up areas.<sup>1</sup>*

Therefore urban renewal should not be considered either as something new or as something which when done once is complete. Rather it is a continuous process which has its greatest effect if based on comprehensive planning. In the words of J. S. Hodgson *Renewal is not a one-shot operation, but a permanent and continuing aspect of city growth.*<sup>2</sup>

The term urban renewal includes clearance, redevelopment, rehabilitation and conservation. If buildings are unfit for human habitation and if they should not be rehabilitated, whether because of environment, structure or economics, they should be demolished and cleared. Where there is clearance, a redevelopment program should become an integral part of the official plan of community development. If there is an official plan and provincial approval for a municipal clearance program, the Federal Government through Central Mortgage and Housing Corporation may pay up to half the costs of demolition and clearance. Some Provinces such as Ontario may share one-half of the municipal share.

If it is decided that a cleared area should be replaced by public housing, the Federal Government through Central Mortgage and Housing Corporation will contribute up to 75 per cent of the capital costs. In Ontario, the Province contributes 17½ per cent and the municipality 7½ per cent of the capital cost of construction.

Clearance and redevelopment, although sometimes necessary, are very costly and problems of relocation may result in the process. Consequently, if conservation and rehabilitation of existing buildings is practical and healthy, it can be a very useful program. Sometimes the first step in conservation is to reduce the number of people who are living in the house and to consider how the building can be organized to serve its best purpose in an attractive and healthy manner. Home improvement loans; a municipal standard of occupancy program including by-laws, inspections, loans and community involvement; together with a positive program of public improvement in facilities and amenities are all a part of sound conservation.

In addition, public improvements in terms of streets and services may permit private enterprise to make renovations, demolitions and new construction. Roger Marier, Executive Director, Central Mortgage and Housing Corporation, has drawn attention to the widening of Dorchester Street in Montreal as an example. Previously the properties were poor and run-down. After widening the narrow street, multi-million dollar office buildings were erected and a new business area was created. This dramatic development came about as a co-incidence of private interest and public purpose. The potentialities for public and private partnership in down-town renewal are most promising.<sup>3</sup>

### URBAN RENEWAL STUDIES

A program of enforcement is more likely to meet the requirements of the community if something is known previously of the problems. For that reason alone planning studies are essential. If, for example, the dwellings are graded and classified according to quality, there is some indication of the areas where urgent improvement measures are required. There is also some indication of the areas which are passable now but which will require drastic action in the foreseeable future.

Grants may be made by Central Mortgage and Housing Corporation toward special planning studies

1) A.L.S. Nash, "Renewal Programmes in Ontario", Proceedings of the Ontario Urban Renewal Conference, Guild of all Arts, Scarborough, Ontario, October 17, 1957 (Toronto: Ontario Division, Community Planning Association of Canada), p. 28.

2) J. S. Hodgson, "The Urgency of Renewal", Proceedings of the Ontario Urban Renewal Conference, p. 14.

3) The Globe and Mail, Toronto, "Downtown Renewal", March 2, 1962, p. B-6.



upon application by a provincial government or by municipalities who have approval of their provincial government. The purpose of these studies is to examine housing conditions, to determine the need for new housing and the need for urban development. Many studies of this type have been referred to earlier in this report.

Thirty-eight urban renewal studies have been undertaken or completed at a total cost of almost a million dollars and it is anticipated that more will follow.<sup>4</sup> Where federal and provincial grants are made to a municipality for clearance, strong pressure is put upon the municipality to adopt an official plan of development, complementary zoning by-laws and standards of occupancy. The quality of the studies has been described by Stanley H. Pickett, Assistant Director, Urban Renewal and Public Housing Division of Central Mortgage and Housing Corporation as follows:

*Although previously intended to underline and support applications for financial assistance in carrying out redevelopment projects, the studies have already proved themselves to be one of the most valuable sources of information on urban conditions in Canada in the middle of the twentieth century. When the reports of all the urban renewal studies are available this wider value will be still more firmly established and may well become paramount.<sup>5</sup>*

Every town or city should have a planning study to find out what has happened to it, the trends which are taking place and the future expectations. If there is no survey and no action, a community may be faced with declining assessment, increasing costs and poor living conditions.

However, with the basic data, the public can be made aware of the position of their community.

#### INITIATIVE

Interest in creating a conservation program and maintaining standards of occupancy may develop through the official administrative agencies in the building, health, planning and welfare departments; voluntary associations; the elected municipal councils; or by reason of the enthusiasm of one person. For example the quality of Toronto's "Annex" has been preserved because of the dedication of a number of its citizens and the energy and vision at times of one or two. The interest in the Riverdale Area in the same city, and a series of events leading to a conservation program which has followed, are said to relate back to asking a public speaker to discuss if this older community had to necessarily deteriorate into a slum.

Regardless of how the interest starts, if it is noticeably effective, it promotes ever enlarging circles of support.

Professional and voluntary associations having an interest in these fields may exercise initiative also in seeking standards; making investigations and studies; and insisting that the official agencies enforce standards of occupancy or provide conditions which will permit the enforcement of standards. Examples of such associations are the Royal Society for the Promotion of Health in Britain, the American Public Health Association, and the Community Planning Association of Canada.

This same type of association may be brought in to advantage to assist a community, providing there is a local group who are desirous to preserve and to improve not only the buildings but the living conditions of the people.

In other instances, local community associations have sparked the interest in an effort to maintain a good standard. Unfortunately, public attention all too often is focused on substandard conditions only after a fire, the collapse of a building or an epidemic.

Undoubtedly one of the most striking examples of citizen action to eliminate blighted housing and to replace it with good accommodation for those with lower incomes was that of the Citizens Housing and Planning Association. This Toronto association which was in existence from 1944 to 1948 (before merging with the Community Planning Association of Canada) spearheaded the movement which led to Canada's first slum clearance and public rental housing project, Regent Park North. Its membership never exceeded 300 individual members and 25 corporate members and its budget was \$300 to \$400 per year. Dr. Albert Rose has devoted more than a chapter to the operation of this organization and W. Harold Clark, the Chairman has recorded his impressions of the work and value of the Association in these words:

*During the three and one-half years of its existence it exerted a profound influence on the thinking of many people throughout the country and to some extent influenced the course of government action.*

*Due to its insistent and aggressive demand for better housing for those of low income, the results of which were evident in the decision of the electors of Toronto to rebuild the Regent Park Area; this Association can with some justification claim to be one of the founders of the Public Housing Movement in Canada.<sup>6</sup>*

#### THE COMMITMENT

Once a municipality has committed itself to the principle of conservation and renewal or has defined an area where an urban renewal program is to take place, it has given notice that public improvements will be made.

Neighborhood and street improvements are an assertion of faith in the people and the area by the municipal corporation. If streets and lighting are in poor condi-

<sup>4</sup> Federal Government Participation in Housing, (Ottawa: Central Mortgage and Housing Corporation, 1961), Chap. xiiA.

<sup>5</sup> Stanley H. Pickett, "Urban Renewal, An Introduction to Urban Renewal Studies", Royal Architectural Institute of Canada Journal, February, 1961, p. 38.

<sup>6</sup> Albert Rose, Regent Park, A Study in Slum Clearance (Toronto: The University of Toronto Press, 1958), Chap. v, p. 60.

tion and other services and amenities neglected by the municipality, then the private individual is unlikely to invest his money in improving his property. If the area is tagged as declining and if this attitude is reflected by the municipality, then the owners are likely to try to get all they can out of the property and put nothing back into it.

When the program is aimed at the rehabilitation and conservation of existing buildings, then the public authority is under immediate obligation to evaluate the state of repair, safety and attractiveness of public buildings such as fire halls, municipal offices and schools.

In the case of clearance and redevelopment, changes in density both within the area cleared and adjacent to it may take place. It is important to project the kinds of densities or the composition of the population, particularly in terms of age groups. This has a very definite relationship to the amount of open space and its location. If there are likely to be many young children, then open space sufficient for very active recreation is required to be located reasonably close to their homes. Similarly there may be changes in the amount of traffic generated which may necessitate greater pedestrian protection and more parking space.

Whether the program is one of clearance or conservation, streets should be repaired. This may involve new pavement, new sidewalks, new curbs, better lighting, replanting of boulevards, improved fire protection and more frequent garbage collections. It may require such fundamental changes as increasing or renewing sewer and water pipes, gas lines, and telephone and electrical services. It may mean control of air pollution, more parks and public off-street parking. A house built for a single family before the advent of the motor car now may house several families who have half a dozen cars and the lot may not be designed to accommodate one. Streets signs may need replacement and traffic methods may be found to improve traffic pattern and to abate noise.

In Windsor, there is an endeavour to improve the streets where there is an interest on the part of the residents to improve the houses. The American renewal program is organized on a neighborhood basis, and public expenditures in improvements such as paving, lighting, off-street parking and parks are made where necessary.

This is something of the scope of the approach which should be envisaged. The municipal corporation has to be ready to show confidence by action that an area is worth keeping.

#### BUILDING BY-LAWS

In the formulation of a standards of occupancy, conservation and clearance programs there must be first of all a building by-law which will ensure that all new construction is sound. The work of the National Research Council and its preparation of the National Building Code with its subsequent acceptance has been

described.<sup>7</sup> In sharp contrast to these detailed rules is the simple edict of King Hammurabi of Babylon who decreed, about 4,000 years ago, that *the builder of a substandard house that falls and kills the householder shall be slain*.<sup>8</sup>

It is estimated that about half of the urban population of Canada are living in municipalities which are using the National Building Code. The Code is recognized officially in the legislation of six of the provinces to enable the municipalities to adopt whatever sections of the code are applicable as a local by-law. Experts who have a specialized knowledge of either structure, fire prevention or public health are constantly reviewing the Code. In addition, there is an Area Building Code Committee for Toronto which is using the National Building Code as a basis for the preparation of a code which can be accepted and adopted by the thirteen municipalities which are within the Metropolitan Corporation.<sup>9</sup>

#### STANDARDS FOR BUILDINGS OTHER THAN RESIDENTIAL

Although buildings other than residential may be covered by legislation pertaining to their particular use, it is possible that they may not conform with the objectives of a rehabilitation program. For example, in some instances it may be preferable, if possible, to have the traffic entrance to and from a particular building on a different street from the present one. If there are renovations or additions, there may be improvements in design or exterior finish which would be beneficial to the whole community if the owners were made aware of the objectives. Furthermore, there is the problem of buildings erected by the provincial and federal governments which legally need not conform with local restrictions.

These are items which may not be legislated easily, if at all. However, if there is a firm commitment on the part of the municipality, with the support of the community, to attain certain objectives in terms of improvements to dwellings, the force of public opinion and public program is likely to have a salutary effect on the buildings not necessarily affected by the legislation. Complementary improvement of all buildings is likely to follow.

#### LAND STANDARDS

No standard of occupancy program is complete without relating it to lot sizes, distances between buildings, space around buildings, set-backs and services. This may appear to be merely a matter of zoning but there is more involved. What is the desirable quality for a new subdivision? How much of that quality can be brought into a rehabilitated or redeveloped area where there are impediments and lack of flexibility? Can the standard of quality be kept in focus so that the old mistakes will not be perpetuated when there is new

<sup>7</sup> Supra, chap. vii.

<sup>8</sup> The New York Times, "Building Codes traced 4,000 years to Babylon", July 27, 1958.

<sup>9</sup> The Financial Post, Toronto "Building Code Slow But Sure", February 17, 1962, p. 55.



construction? Are new subdivisions likely to create slums as soon as they are built because of lack of services or because of overcrowding of both house and lot?

In brief, all the things which are done to the land must be evaluated in terms of their relationship to each other in serving various possible population compositions.

## ASSESSMENT

Assessment and the motives for changes in assessments may have a serious influence on a rehabilitation program.

There are those who contend that if assessments were raised that derelict houses would be removed and the property cleared for re-building according to modern standards. Others contend that because assessments and hence taxes are too high, that the homeowners, or the principal tenants are forced to sublet most of a house. The house becomes crowded in terms of amenities and utilities and it deteriorates. Then because of surrounding conditions, the owner decides that the house doesn't warrant the investment required for repair and maintenance.

In Montreal, as an incentive to build houses, assessment on new dwellings may be lowered to 50 per cent of the real value for thirty years. If an unsanitary or slum dwelling is replaced by a new house the assessment of 50 per cent of the real value is higher than the assessment on the dwelling which is replaced, then the previous assessment may apply to the new house.<sup>10</sup>

Assessment which is based on speculative values rather than on farm land values can create premature, unserved development and rural slums. Assessment which precludes farming or the holding of open land precipitates subdivision whether by registered plan or by five or ten acre parcels or by special consent. As a general rule, cheap, unserved land produces poor housing which is costly to the municipality and unsatisfactory to the residents. This question became so imminent in the State of Hawaii that "An Act Relating to the Zoning Powers of the State and the Assessment of Real Property" was passed by the Legislation. The findings and declaration of purpose of the act read as follows:

*Inadequate controls have caused many of Hawaii's limited and valuable lands to be used for purposes that may have a short-term gain to a few but result in a long-term loss to the income and growth potential of our economy. Inadequate basis for assessing lands according to their value in those uses that can best serve both the well-being of the owner and the well-being of the public have resulted in inequities in the tax burden, contributing to the forcing of land resources into uses that do not best serve the welfare of the State. Scattered subdivisions with expensive, yet reduced,*

*public services; the shifting of prime agricultural lands into non-revenue producing residential uses when other lands are available that could serve adequately the urban needs; failure to utilize fully multiple-purpose lands; there are evidences of the need for public concern and action.*

*Therefore, the Legislature finds that in order to preserve, protect and encourage the development of the lands in the State for those uses to which they are best suited for the public welfare and to create a complementary assessment basis according to the contribution of the lands in those uses to which they are best suited, the power to zone should be exercised by the State and the methods of real property assessment should encourage rather than penalize those who would develop these uses.<sup>11</sup>*

If there are pressures upon a municipality to raise the assessments in a declining urban neighborhood, or on rural land influenced by speculative values, the question as to whom the real benefit accrues or to whom the land will pass in transition and the effect should be carefully studied.

## ZONING

Instances were noted in Chapter IV where there was over-zoning for commercial and industrial uses to the detriment of the houses. The land was not purchased or even required for the purpose for which it was zoned and the houses were permitted to deteriorate as it was anticipated that the land would be bought for another use.

Zoning to increase densities within an area or within a house, or zoning to permit the intrusion of apartments without safeguards to protect adjoining properties, or failure to provide the street with service facilities for the increased densities can be at odds with a rehabilitation program. When zoning changes are under consideration, again the question should be asked: "Who wants the increased density or the increased coverage of land and for what purpose?" However inarticulate they may be, efforts should be made to find out what the residents really want. If these changes come about, how many will leave? What kind of population will replace them? To whom will the real benefit accrue?

It is recognized that densities in certain areas may be increased if the amenities and facilities are also increased. However, in a cleared area, densities may actually be reduced because of the higher standard of the new accommodation and land which formerly had houses on it may be required for roadways or open space.

Zoning must be used as a positive protective force rather than as an invitation to deterioration.

10) City of Montreal, P.Q. By-law No. 1882.

11) State of Hawaii, Act 187, 1961, s.1.



## TRAFFIC

It is possible to make certain adjustments within a neighborhood which will permit a greater traffic flow on certain streets and which will discourage traffic on others. However, the main problem frequently is the outside traffic which has to pass through the neighborhood at least twice each working day. As the radius of the city becomes greater, the traffic flow increases and in itself poses a serious threat to the older residential neighborhoods closer to the central business districts.

One means of facilitating the traffic is to widen certain streets and join them together so that collectively the same streets become a major traffic artery. The effect of widening the street is to put heavy traffic literally at the front door step of houses. Houses on the new street line are not built to withstand the vibration or the fumes of heavy traffic. The danger to pedestrians, especially children, of vehicles leaping the curb to the sidewalk or even to the front door of a house is greatly increased. The policy of piecemeal, stingy, expropriation which is practised on city streets and metropolitan roads has no respect either for the residents adversely affected or for the future value of the houses. If a street or road has to be widened and the results are seriously detrimental to the amenities of the residents of the adjoining properties, then the entire holdings should be acquired and the houses demolished. This would eliminate cars backing out of garages into through traffic and would eliminate the nuisance of cars coming into the main traffic stream from individual dwellings. The additional open space would protect the remaining houses from the automotive fumes and be an opportunity to lend scenic beauty to an interior traffic artery.

## ALTERNATIVE ACCOMMODATION

Observation has been made from time to time of the problem of alternative accommodation when people have to leave housing requiring repair or demolition.

If suitable accommodation is not available, the municipality should have a public housing project as a part of its standards of occupancy program. Logically, it would appear that a municipality itself should have the right to build, or acquire by rental or purchase, whatever housing is required apart from that in Federal-Provincial projects.

## ROOMING HOUSES

Perhaps the most difficult accommodation problem are rooming houses.

In spite of the high rate of house building in Canada there are many families who share accommodation. In Metropolitan Toronto, for example, it is estimated that there are 140,000 families, none of whom are in the city itself, who have shared accommodation. To a substantial degree, the magnitude of the problem increases as the availability of low-rental accommodation decreases. However, other economic,

social and financial factors of a personal nature are also of crucial importance.

Some control is afforded through provisions in local building by-laws. Chapter 34A of Toronto's Building By-law No. 9868 deals with boarding or lodging houses and contains a number of restrictions as to physical structure, and attempts to control conversions by requiring fire safety and adherence to certain standards. The City of Toronto Zoning By-law No. 18642, as amended in 1957, sets down minimum conditions for space and occupancy; inside utilities; building exterior; and yards for boarding or lodging houses. It permits converted dwellings in R. 1 districts subject to general restrictions covering use, size and condition, while The Public Health Act empowers the Medical Officer of Health to inspect rooming houses to see that minimum occupancy, health and sanitary conditions are maintained.

In Winnipeg, the Health Department of the City has been a leading force in encouraging the Provincial Department of Health to strengthen rooming house regulations in The Public Health Act. The most important new regulations are those of 1956, and the amendment of 1960, relating to apartment, lodging houses, and rooming houses. These regulations enable the City Health Department to demand that there be additional sanitary facilities; that there be a constant supply of hot water; that defective floors, walls, and ceilings be repaired; and that redecoration takes place. Enforcement of these provisions has resulted in the notification to more than 500 rooming house owners and operators to remedy violations of the Provincial Health Regulations.

Where newly-built homes have been altered and redecorated for increased accommodation, the motivation is frequently that of assisting the owner to meet heavy financial obligations or for increased personal income. Widespread occurrence of conversions in areas zoned for single-family residence has resulted in large-scale by-law infractions which are often unnoticed and uncontrolled.

Rooming houses are notoriously the worst violators of mandatory standards of health, welfare, and safety. A system of licensing and permits, if based on inspection and on effective administration and inspection, can do much to curb some of the worst offences. Licensing without inspection would merely legalize existing deficiencies. Because of the multiplicity of factors, rooming houses are exceedingly difficult to regulate.

From the experience of several Canadian cities, an occupancy and maintenance standards by-law will be considerably weakened unless corresponding provisions and standards for rooming houses are adopted and enforced. The example of the model by-law, included in this text, is like the Canadian by-laws already in existence in that, in scope and by implication, multiple occupancy residences are subject to the same minimum standards. The suggested by-law is adaptable to all types of dwellings, and provides for a uniform system of administration and compliance.

A basic policy for governing rooming houses should be thoroughly explored and the implications of a registration or licensing system be fully examined. It is interesting to note that the City of Winnipeg, a city which has been acutely aware of irregularities in rooming house practices, after intensive research has abandoned both the registration and licensing concept of control in favour of inspection and compliance with standards.

Finally, an adequate definition of "rooming-house" must be devised to coincide with a practical scheme to meet the specific problem. If a licensing plan is to be adopted, then the definition of "rooming-house" should be determined rather than relying on varying popular concepts. Since the most menacing conditions exist in structures which are converted in part or wholly to rooming-house businesses as distinguished from the incidental renting of a room or two in a home, a suitable definition should reflect this difference.

#### COST OF REPAIRS

The repair of dwellings has become of increasing concern for both municipalities and senior levels of government. Central Mortgage and Housing Corporation has estimated that *about \$250 million is spent annually on the housing stock for repair and maintenance and over \$100 million for major improvements and alterations.*<sup>12</sup> The Corporation observes that *these expenditures are for the protection of the nation's residential property which, at the end of 1955 was valued at about \$24 billion and in terms of today's prices will probably double in value over the next 25 years.*<sup>13</sup>

The loss of revenue because of lack of repair and the lack of quality is indicated by comparisons of before and after clearance projects. In an 80 acre project of combined rehabilitation and spot clearance program in Little Rock, Arkansas, the real estate assessment rose by six and a half times, although one-fifth of the land was changed from private to public use. A clearance project in Calexies, California (population 7,992), resulted in almost a four-fold increase in tax revenue.<sup>14</sup> The assessment on the clearance for the public housing projects of Regent Park South in Toronto rose from \$933,000 to \$2,800,000 and from \$1,174,000 to \$5,564,000 in Regent Park North.<sup>15</sup>

An example of the annual cost in Canada of consistent, adequate maintenance of a house from the time it is newly built is provided by Central Mortgage and Housing Corporation as follows:<sup>16</sup>

Ordinary Maintenance	\$56.20
Extraordinary Maintenance	\$15.40
External Painting	\$15.00
Total	\$86.60

The average cost of compliance in terms of repair and demolitions in Toronto is about \$207 per house.<sup>17</sup> In Buffalo, it averages about \$431 per house but \$383 is the median value of all compliances, i.e. the value of the middle item when the values are arranged according to size.<sup>18</sup>

#### CONSERVATION OF NATURAL RESOURCES

In the rehabilitation of an urban community, care should be taken to conserve the valleys, streams, lakes and shorelines. These elements of natural beauty must be preserved and made accessible and usable for people. They must not be permitted to become open sewers or garbage dumps.

Similarly the atmosphere must not be permitted to be filled with pollution. Because of the immensity of the air pollution problem, existing legislation may not be adequate. Ross Clark, Works Commissioner for Metropolitan Toronto, is reported to have observed that the Ontario regulations dealing with the air pollution menace are insufficient in scope and that the Metropolitan Government is drafting its own regulations. Although one would expect faulty fuel burning equipment to be old, such is not the case. Mr. Clark is of the opinion that a great deal of inadequate undersized and poorly designed fuel burning equipment is still being installed in industry and apartment buildings. The Metropolitan authorities examined more than one thousand pieces of fuel burning equipment in 1961, and 90 per cent were below the required efficiency. In competing to simplify design, manufacturers of the equipment were acting without regard to air pollution control.<sup>19</sup>

#### POLLUTION

Some problems because of their complexity are beyond municipal control. The Health Officers of British Columbia in a submission to the Royal Commission on Health Services stated that:

*Haphazard growth and growing pollution problems now affect whole areas and even regions. The problem has far outstripped municipal control and in some cases even exceeds provincial control. The matter is now of national and even international importance.*

The Association asked that regulations be aimed at preventing the creation of slums and pollution of land, air and water rather than abating the problems after they have taken place.<sup>20</sup>

Lest it should be considered that conditions leading to poor housing and poor health belong only to the nineteenth century, the remarks of Dr. G. M. Smith, Director of the Fundy Health Unit made on November 2, 1960, should be noted:

12) Central Mortgage and Housing Corporation, op. cit., p. 31.

13) Ibid.

14) United States, Housing and Home Finance Agency, "The Economics of Urban Renewal, November-December 1961" Urban Renewal Notes, (Washington: Urban Renewal Administration, 1961).

15) City of Toronto Real Estate Department, personal interview.

16) Central Mortgage and Housing Corporation, Ottawa.

17) F. W. Wellwood, Commissioner of Buildings, City of Toronto.

18) City of Buffalo, Board of Redevelopment, Neighborhood Conservation, Buffalo's Pilot Project (Buffalo: 1960).

19) The Globe and Mail, Toronto, "Smoke Controls—Visibility Increases 14.4 miles in 5 years," February 17, 1962, p. 8.

20) The Globe and Mail, Toronto, "Growth and Pollution Harass Municipalities, Health Probe is Told," February 22, 1962.



(. . .) Many homes dispose of effluent directly into the highway ditch, others which border the river, dispose directly into the river. Many of these same homes take their drinking water and use it untreated from this same river. Each person appears only concerned with placing his intake above the outlet from his septic tank, either forgetting or not knowing that his neighbor may be using the river as a means of disposing of his effluent.<sup>21</sup>

A report from Winnipeg entitled: "Big Spending Ahead—Sewage Danger Grows Worse in Winnipeg's 'Cesspool' Rivers" describes a ten year \$31 million project to improve sewage treatment facilities.<sup>22</sup> The article tells of river pollution at "the locks" twenty miles from the centre of the City and beyond. Raw sewage and only partially treated sewage dumped into the rivers has contaminated the water to such a degree that on occasion even the beach communities on Lake Winnipeg which are about sixty miles from Winnipeg are endangered.

McKenzie Porter, writing in the Financial Post, points out the sharp increase in hepatitis across Canada which is largely blamed on poor sanitation and in part on poor hygiene. In Canada, the incidence of hepatitis is the highest in the Yukon and the lowest in Ontario and Quebec. Figures for the country as a whole show that 1,585 new cases of hepatitis were reported in January, 1962 which was twice the number for January, 1961. The monthly average for hepatitis patients in 1961 was 11,600 and this was three times the average for the preceding few years.<sup>23</sup>

In Ontario, Doctor Robert King reported a six-fold increase in the number of hepatitis cases in York County for the year 1961 over the previous year. He and Doctor E. W. R. Best, Head of the Federal Health Department's Epidemiology Division, agreed that where there are septic tanks and poor sewage disposal systems, that these are considered a major factor in spreading hepatitis. Dr. Best said that the possible contamination of well water is of serious concern.<sup>24</sup>

On the other hand, 60 per cent of the hepatitis cases in Moss Park in Toronto were in the Regent Park apartment housing projects which are of post-war vintage and fully serviced. Doctor G. W. O. Moss, Deputy Medical Officer of Health for Toronto explained that this was *not a black mark against housing developments but may reflect a changed pattern of living*.<sup>25</sup> He noted that there were shared laundry facilities, highly organized social activities and close-knit community life.

This means that although there may be modern apartments, full services and every appearance of sani-

tation that the pattern of living and social relationships within a community may still be a threat to the housing conditions.

#### THE SPIRIT OF GOODNESS

In goodness there is no evil.

A casual look at many communities will indicate that something isn't right. A further glance at people's faces may show misery, deprivation and poor health. In short, something is wrong.

It is usual for everyone to defend his own wrong doing or lack of accomplishment with reasoned arguments of mitigation. People of responsibility may act the same way, when examining a community and viewing conditions which they themselves would not tolerate. Remarks may be made such as "Oh, that's good for this community. The people like it that way." It is true that the people living in the area may accommodate themselves to their conditions. Many of them have no other alternative so they might as well get to like it and some have known nothing else. But it is wrong to condemn a neighborhood to eternal rot because it has suffered deterioration for a long time. Similarly, it is wrong to permit houses or land to be crowded and to expect that the original investment design and services will continue to last indefinitely.

In the determination of a standards of occupancy program, a municipality and its citizens must be prepared to make improvements towards a common goal of making the best of the community in terms of good living. There will always be a lack of funds and shortage of the right kind of staff. All the things which should happen will not take place in a single year. Integration of total financial and human effort may be impeded and there may be a loss of economy. However, regardless of the impediments or the unforeseen, if there is a constant determination to achieve better conditions for everyone, ultimately funds and staff will be found. The basic measures such as sanitation must not be delayed. A ten-year program to meet existing problems may be much too late and a host of complicated factors may emerge to compound the present problem. New investment, new subdivision and new construction must be of good quality or the standards of occupancy program will be defeated.

How can the goal be accepted? How can it be reached?

There is no simple method. Communities, like individuals, differ. Each community reflects the thinking and the efforts of the individuals in it, not only of those present but of those who have gone before. Basically there must be a spirit of service and good will.

At the outset the Municipal Council must make the decision to have a standards of occupancy program. The content of the by-law may be compiled by the administrative staff, a committee of council or an advisory committee composed of people of good sense, experience and the ability to investigate. Standards cannot remain static but should be improved in terms

21) "Environmental Health", The Halifax Housing Survey, A Joint Venture of the Federal, Provincial, City of Halifax, City of Dartmouth, and the Municipality of the County of Halifax Governments (2nd ed.) 1961, p. 3.

22) The Financial Post, Toronto, "Big Spending Ahead—Sewage Danger Grows Worse in Winnipeg's 'Cesspool' Rivers," March 3, p. 26.

23) The Financial Post, Toronto, "Canada's Hepatitis Rampage Feeding on Slack Sanitation," March 3, 1962, pp. 25, 26.

24) The Telegram, Toronto, "Some New Housing Blamed by MOHs for Rise in Hepatitis," January 20, 1962, p. 46.

25) The Globe and Mail, Toronto, "Hepatitis Increasing in Apartment Areas of Toronto: Official," October 27, 1961.

of contemporary conditions. Neither should standards be the lowest common denominator or less than what is readily acceptable.

No program can be successful without adequate staff. Training should be given for standards of occupancy inspectors in order that they know not only what to look for but how to help people correct the problems. If standards of maintenance are to be observed by the citizens, then at the outset the municipality must recognize standards of maintenance and of public services. Where it is necessary to make municipal loans for improvements to a dwelling, the loans should be made on the basis of the value of the building rather than strictly on the ability of the owner to repay the loan.

The real element in the success of the standards of occupancy program rests in the involvement of the residents. A blueprint is not enough. No police force

or court can or should be expected to implement a positive program. Unfortunately there are officials who are contemptuous of citizens' views. There are those who discourage citizen participation in the quest for the objective. These officials will meet formidable, effective opposition which may be both overt and subtle. However, there is a place for leadership and a need for inspiration. These are the intangibles which can transcend the miry clay of detail and inspire citizens to fulfil, through their community, a vision of beauty and pleasantness.

This is the spirit which gives purpose to building a house steadfast upon a rock. This is the spirit which results in a city rising by its own strength as if it were set upon a hill and cannot be hid. This is the spirit which permits the inner light to shine, which results in good works for men to see and which glorifies our Creator.<sup>26</sup>

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26) "The Sermon on the Mount", Matt. 5-7.



## PART IV

# LEGAL ASPECTS

The model by-law as set forth in this report is intended as a guide to municipal officials engaged in the preparation of local occupancy and maintenance by-laws. The by-law's adaptability, however, makes it suitable for most Ontario communities. It is expected that special environmental or other local conditions will make certain modifications necessary.

The draft of the proposed legislation was suggested by the enabling statutes passed on behalf of the Ontario cities which already have occupancy and maintenance by-laws. Included in the draft are the most pertinent definitions.

With respect to the formulation of the model by-law itself, several considerations and criteria provided the essential guides. Firstly, information obtained from special planning studies, official reports, and selected field visits helped to establish a wide range of housing standards. Secondly, the standards suggested in the draft by-law are comparable to those already in force in Ontario. Five documents were particularly helpful in clarifying and elaborating standards. These were: the Winnipeg draft by-law; the Uniform Housing Code prepared by the International Conference of Building Officials; the New York State Housing Code; the model ordinance prepared by the National Institute of Municipal Law Officers; and American Public Health Association Code.

Variations in housing conditions in Ontario, including types of dwelling construction, facilities and occupancy, reflect geographical, regional and community differences. Similarly, with respect to housing maintenance and care, the current condition of existing housing in any local area will depend on many factors including age, social consciousness, individual income, existing controls, enforcement and individual standards.

If the enforcement of a standard is impractical at the outset due to local circumstances, it is suggested that a time interval be designated in the by-law for compliance. One such example is a standard requiring every dwelling unit containing two or more rooms to include a bath or shower and toilet. An analysis of housing conditions in central Toronto has revealed that 4,500 dwelling units are not equipped with flush toilets and 5,200 are without bath or shower. In the concentrated study area, the ratio approximates 15 and 27 per cent respectively, of all dwelling units. In the City of Ottawa, an urban renewal study reveals advanced physical deterioration and blight in sixteen definable areas. Of a total of 5,385 dwelling units in these areas, 4,370 have serious deficiencies in sanitary and household facilities. Comparable information reveals a lack of these basic household

amenities in the City of Windsor. There is enough evidence to suggest that the same situation exists, perhaps to a higher degree, in smaller communities. This prompted the omission from the by-law of the full complement of plumbing fixtures and installations which are generally required by contemporary, minimum health standards. A clause establishing a time interval to allow for the necessary improvements could be added.

In some communities where blighting influences are more apparent and where the problems of an aging residential stock have attracted attention, a by-law designed to facilitate a staged program of improvement could be introduced. These and other communities which are vitally interested will probably adopt the basic idea and function of a conservation program, but will wish to gradually upgrade the standards.

It is difficult to conceive of today's housing standards as being dated and falling into disuse in fifty or sixty years' time, but just as building by-laws must be geared to change, so maintenance standards must be designed to assist in the improvement of dwellings during their life expectancy. When considering regulations for residential building control, it is not enough to be guided exclusively by the expected life of the building. Maintenance provisions must also be directed toward a frank recognition of the need for change and continued adaptability. The object is to ensure fitness for human habitation during its life span of normal use and function.

An integral part of the by-law must be a set of standardized regulations. Even more fundamental is the question of simplicity. Fewer provisions, simply expressed, give potential to a by-law which is greater than the one which is verbose, detailed and overly descriptive. It would be presumptuous, on the other hand, to expect that simplicity alone would assure successful implementation as there are many other considerations. It must be taken for granted that the whole field of occupancy and maintenance by-laws will encounter many complications because it is new and untried.

The suggested legislation undoubtedly overlaps with several existing statutes, especially parts of section 31 of The Planning Act, R.S.O., 1960, c. 296, authorizing building by-laws, The Public Health Act, R.S.O., 1960, c. 321, and The Fire Marshal Act, R.S.O., 1960, c. 148. Generally speaking the building by-law applies to new construction and voluntary alteration and repair. It cannot require repair to existing buildings. While the public health and fire protection laws can require such repairs, neither law is sufficient by itself, nor do the two together make a complete code. The proposed housing standards code is intended to be complete but that does not mean that there has to be inconsistencies, although there will be duplication. Perhaps the several statutes should be revised and consolidated into a single coherent and complete law, but in the meantime the immediate need to stop the deterioration of old but usable houses may justify the possible administrative confusion of having one more Act.



# CHAPTER X

## ENABLING LEGISLATION

### 1. In this Part<sup>1\*</sup>

Interpretation

- (a) "accessory building means a building or structure the use of which is incidental to the use of a dwelling and which is located in the yard around the dwelling;
- (b) "dwelling" means a building any part of which is or is intended to be used for the purposes of human habitation, and includes a building that would be or would be intended to be used for such purposes except for its state of disrepair;<sup>2</sup>
- (c) "dwelling unit" means one or more rooms located within a dwelling and used or intended to be used for human habitation by one or more persons;
- (d) "notice" means a notice of violation and order to demolish or repair residential property served by an urban renewal officer pursuant to a by-law passed under this Part;
- (e) "officer" means an urban renewal officer appointed by a municipality to administer a by-law passed under this Part;
- (f) "owner" includes the person who for the time being receives the rent of, or manages, or pays the municipal taxes on, residential property in connection with which the word is used, whether on his own account or as agent or trustee of any other person, or who would so receive the rent if the residential property were let;
- (g) "repair" means taking the necessary action to bring residential property to the prescribed standards;
- (h) "residential property" means a dwelling with a yard around it, and includes every accessory building and every dwelling unit within the dwelling;
- (i) "standards" means the standards of physical condition and of occupancy prescribed for residential property by a by-law passed under this Part;
- (j) "yard" means the land other than publicly owned land around and appurtenant to the whole or any part of a dwelling and used or capable of being used in connection with the dwelling whether or not the land is owned by the owner of the building.

2. (1) Where an official plan that recommends housing rehabilitation for a part or the whole of the planning area is in effect,<sup>3</sup> by-laws that conform with the plan may be passed by the councils of municipalities:

Authority  
to pass  
by-laws

- (a) For providing standards for the maintenance of the physical condition and for the fitness for occupancy of residential property within the municipality or within any defined area or areas and for prohibiting the use of residential property that does not conform to the standards.
- (b) For preventing the overcrowding of residential property by limiting the number of persons who may inhabit a dwelling unit on the property and who may use a room for sleeping purposes.
- (c) For requiring the owner of residential property and to the extent that he is made responsible in the by-law the occupant<sup>4</sup> of the property
  - (i) to repair and maintain the property in accordance with the standards to the satisfaction of the urban renewal officer,<sup>5</sup> or,

Setting  
housing  
standards

Preventing  
overcrowding

Requiring  
owner to  
repair or  
demolish

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\* Footnotes to *Enabling Legislation* may be found at end of this section.

- (ii) to demolish the whole or any part of the dwelling or any part of the dwelling or accessory building if in the opinion of the officer the condition of the dwelling or accessory building is so far below the standard that repair would be undesirable.

Power to inspect

3. (1) The urban renewal officer may, at any time between the hours of seven o'clock in the forenoon and nine o'clock in the afternoon, alone or accompanied by a police constable, enter and inspect such residential property to which a by-law passed under this Part applies as he may deem necessary to determine whether the residential property complies with these standards.<sup>6</sup>

Delegation

(2) The officer may, with the approval of the council of the municipality, authorize in writing other officials<sup>7</sup> and employees of the municipality including the building inspector, the chief of the fire department, and the medical officer of health having jurisdiction in the municipality, to exercise the power of the urban renewal officer of entry upon and inspection of residential property.

Owner to admit officer

(3) The owner and the occupant of any residential property that the officer or his authorized agent wishes to inspect shall admit the officer or his agent and the police constable, if any, and grant to him or them free access to all parts of the property within their control.

Entry by force

(4) The urban renewal officer and a constable may use reasonable force to make an entry.

- (a) if they have been refused admission by the owner or the occupant, or
- (b) if, after two visits the residential property appears to be vacant or deserted.<sup>8</sup>

Other duties of officer

4. The urban renewal officer shall:<sup>9</sup>

- (a) conduct periodic inspections not less frequently than once in every five years of all residential property to which a by-law passed under this Part applies;
- (b) keep a record of all complaints of violation of the by-law together with a report of his investigation of each complaint and the outcome of any action he may have taken;
- (c) report annually to the council of the municipality the condition of the residential property, the work he has performed under the by-law and his recommendations for future action.
- (d) keep records of all information about residential property obtained by him or by any other person on his behalf but he shall not make the information public except that he may disclose actual violations to any person whose interest in the property is sufficient in the opinion of the officer to justify disclosure.

Notice of violation

5. (1) If after inspection of any residential property by the urban renewal officer or his agent the officer is satisfied that in some respect the property violates the standards he shall forthwith serve upon the owner and all known occupants over the age of twenty-one years and to such other persons as he sees fit<sup>10</sup> including any mortgagee or other encumbrancer appearing on the registered title of the property and any execution creditor a copy of a notice<sup>11</sup> of violation and order to demolish or repair.

Contents of notice

(2) The notice shall give in clear language

- (a) a description of the residential property;
- (b) the particulars of the violation and the time and manner in which the demolition or repairs are to be made;
- (c) the final date for giving notice of appeal from the order to demolish or repair;



- (d) the form of notice of appeal which shall be attached to the notice and which shall show the place to which the notice of appeal must be sent.
- (3) If after diligent inquiry the urban renewal officer is unable to locate the owner or any other persons on whom he desires to serve a notice, the officer may cause the notice to be published at least twice in a local newspaper at intervals of not less than two weeks and he may place a placard containing the terms of the notice in a conspicuous place on the property and the publication in the newspaper and the placing of the placard is sufficient notice to the owner or other person who cannot be located. Publication in newspaper and by placard
6. Upon receipt of the notice or two weeks after the second publication of the notice in the local newspaper, unless he has given notice of appeal in accordance with this by-law, the owner and the occupant, if he is liable, shall forthwith carry out the repairs within the time and in the manner specified in the notice. Duty of owner upon receipt of notice
7. When the owner or occupant upon whom a notice has been served is not satisfied that the dwelling or accessory structure is beyond repair or that the repairs ordered are necessary to bring the existing conditions up to the standards he may give notice of appeal to the housing standards appeal committee<sup>12</sup> by returning the notice of appeal attached to the notice to the clerk of the municipality within ten days after service of the notice on him or after the second publication of the notice in the local press. Appeal
8. (1) After affording a reasonable opportunity to every person on whom a notice has been served to make such representations as he sees fit, and after inspecting the residential property in the presence of any such person if so requested by him in writing, the committee may confirm the order to demolish or repair or in its discretion may modify or discharge it. Decision on appeal
- (2) The order to demolish or repair as confirmed or modified shall thereupon become final and binding<sup>13</sup> upon the owner and occupant who shall make the repairs within the time and in the manner specified in the order as confirmed or modified. Effect of decision
9. Where a notice orders the demolition of a dwelling or accessory structure or both and the owner gives notice of appeal the committee shall hold a public hearing and afford all interested persons an opportunity to be heard in favour of or against the order. Appeal of demolition order
10. When notice or the order as confirmed or modified has been duly registered it is a lien on the residential property and is binding upon the person who appears from the documents in the registry office or the land titles office to be owner of the residential property and upon his heirs and assigns and upon any person to whom he may have agreed to convey or assign the property before or after the order is made until its terms have been complied with.<sup>14</sup> Notice may be registered
11. If the owner or occupant or either of them fails to demolish the dwelling or accessory structure or to make the repairs within the time and in the manner specified in the order or in the order as confirmed or modified the officer may forthwith prohibit the use of the dwelling or accessory structure and he or his agent may in addition to any other penalty recoverable by law enter the residential property or the adjoining property without the consent of the owner or occupant of either property and demolish the dwelling or the accessory building or make the repairs. Officer may prohibit use to demolish or repair
12. (1) When the council of a municipality has passed a by-law under this Part it shall forthwith constitute and appoint a housing standards appeal committee<sup>15</sup> composed of such three persons as the council deems desirable. Housing standards appeal committee
- (2) Every appointment to a housing standards appeal committee is subject to the approval of the Minister. Appointments subject to approval
- (3) Members of the committee shall hold office for three years and until their successors are appointed and approved, and are eligible for reappointment, and when a member ceases to be a member before the expiration of his term, the council, with the approval of the Minister, shall appoint another person for the unexpired portion of his term. Term of office

Chairman	(4) The committee may elect its own chairman and vice chairman who shall preside in the absence of the chairman.
Secretary	(5) The municipal clerk shall be secretary of the committee but he may appoint a delegate to act on his behalf.
Quorum	(6) Two members of the committee are a quorum.
Rules of procedure	(7) The committee may adopt its own rules of procedure.
Notice	(8) The committee, before hearing an appeal, shall give notice of the hearing in such manner and to such persons as the committee deems proper.
Oaths	(9) The chairman of the committee, or in his absence the vice chairman, may administer oaths.
Recovery of costs of demolition or repair	<b>13.</b> (1) Where a dwelling or an accessory building is demolished or repaired by the officer or his agent under the provisions of section 11 all costs including the costs of any necessary repairs to the adjoining property incurred by the officer shall be paid to the municipality by the owner and the occupant of the residential property in such proportion as may be specified by the order or by the order as confirmed or modified and the municipality may recover the costs in the same manner as municipal taxes or a debt by action in any court of competent jurisdiction.
Amount	(2) The amount of costs recoverable shall be the amount certified by the urban renewal officer and shall bear interest at the rate of six per cent per annum until paid.
Term	(3) Where the costs are collected in the same manner as municipal taxes the council may collect the principal over such period of years not exceeding ten as it may see fit and interest shall be payable on the unpaid part of the principal at a rate not exceeding six per cent per annum.
Earlier payment	(4) Notwithstanding subsection (3) if the owner or occupant desires to pay the whole or any part of the principal and any arrears of interest at any time he may do so and the amount to be collected by the municipality shall be reduced accordingly.
Financial assistance	<b>14.</b> (1) If the officer certifies in writing to the municipal clerk that in his opinion the owner or occupant is financially unable to repair the residential property, the municipality may, upon application by the owner or occupant, when it is satisfied that the repairs have been made in a good and workmanlike manner, pay to the builder who has made the repairs an amount not exceeding <ul style="list-style-type: none"> <li>(a) two hundred dollars for each room that is repaired and one thousand dollars in all, and</li> <li>(b) the amount of the lowest of three bids submitted in good faith for the repairs to be made.</li> </ul>
Terms	(2) The amount advanced by the municipality under subsection (1) shall be repaid to the municipality with interest not exceeding six per cent per annum in such terms as to time not exceeding ten years as the municipality may determine and the payments shall be recovered in the same manner as municipal taxes. <p>(3) The council may, without obtaining the assent of the electors, borrow the amount advanced by the municipality under subsection (1) and under section 13 in any year by the issue of debentures of the municipality payable in not more than ten years.</p>
No compensation for trespass	<b>15.</b> (1) Where a dwelling or an accessory building is demolished or repaired by the officer or his agent neither the owner nor the occupant of the residential property or of the adjoining property may recover any compensation for any trespass by the officer or his agent acting in good faith and pursuant to notice or an order as confirmed or modified.



(2) No action, prosecution or other proceeding shall be brought or be instituted against a municipality or an urban renewal officer or anyone acting under his authority or the authority of a by-law passed under this Part for any act done in pursuance or execution or intended execution of any public duty or authority imposed or conferred by a by-law passed under this Part, or in respect of any alleged neglect or default in the execution of any such duty or authority, without the consent of the Minister.<sup>16</sup>

No action  
against  
municipality  
or officer  
without  
consent of  
Minister

16. A by-law passed under this Part shall be deemed to implement the official plan.<sup>17</sup>

By-law  
implements  
official plan

## FOOTNOTES TO ENABLING LEGISLATION

- 1 This draft enabling legislation has been prepared as a Part to be added to The Planning Act, R.S.O., 1960, c. 296 and the language has been made to conform with the style of that Act, and with The Municipal Act, R.S.O., 1960, c. 249. The section numbering is independent, however, since the location of this Part in the Act is still to be determined.
- 2 Experience in other jurisdictions has shown that owners board up dilapidated buildings and deny that they are subject to law respecting "dwellings". Since a "dwelling" so dilapidated as to be beyond repair may be ordered demolished, it is necessary to cover such a building in the definition.
- 3 The requirement of a plan is intended to ensure proper study before old housing is demolished, and before public or private money is spent for repairs of buildings that might soon be demolished for redevelopment.
- 4 There are some types of repairs and some conditions of housing that a tenant should be responsible for and the choice can best be made in the by-law itself. A rigid allocation of responsibility to the owner alone could be unfair in many instances.
- 5 The technique of leaving the real definition of the standards to the judgment of the urban renewal officer has already been used in Ontario; City of Toronto By-law No. 14,466, originally passed February 10, 1936, was amended by By-law No. 15,583, passed May 19, 1941. By-law No. 14,466 took effect on being validated by the Ontario Legislature: S.O. 1936, c. 84, s. 6(8). Section II(1) provides that *no person shall use or occupy for human habitation. . . any dwelling unit unless such dwelling unit. . . conforms to the satisfaction of the Inspector to certain regulations*. The general enabling provisions, s.6(2), would not authorize a standard to be determined by the Inspector.

City of Ottawa By-law No. 123-52, was passed August 5, 1952.

The Ottawa By-law was authorized by the Ontario Legislature before it was passed: S.O. 1952, c.130. Except for the provision of a tribunal *for the administration enforcement of the by-law* the language of s.1(2) is almost identical with that of the City of Toronto Act, 1936, and does not expressly authorize the inspectors or tribunal to set or interpret the standard. Section 3 of the Ottawa By-law uses language similar to that of section II(1) of the Toronto By-law but the dwelling unit must conform *to the satisfaction of the Board, to the following standard*. City of Windsor By-law No. 1718, passed September 23, 1957 was amended by By-law 1861 passed July 21, 1958. By-law 1718 took effect on being validated by the Ontario Legislature: S.O., 1958, c. 166. The City of Halifax Ordinance No. 50, passed September 13, 1956 and approved by the Minister of Municipal Affairs on November 13, 1956, also requires that repairs be made *to the satisfaction of the Inspector of Buildings*. (See The Public Health Act, R.S.O., 1960, c. 321, for frequent use of this device, e.g., ss. 28(1); 75; 86(2); 27(1); 72; 84(2); 87(1) etc.) A quite different approach was also considered but rejected. The model by-law, instead of appearing as a guide for a municipality intending to take advantage of the enabling legislation, could have been made a part of the Act, as an appendix, and when adopted given the same authoritative standing as if it had been enacted by the provincial legislature. This way the by-law could not be quashed for uncertainty.

- 6 The Public Health Act, R.S.O. 1960, c. 321, gives somewhat broader powers of entry and inspection to the medical officer of health, a member of a local board of health, and an inspector or other employee of the local board acting under the instructions of the medical officer. See, for example, ss. 84 and 98(1). It is not necessary in an area in which emergency action will rarely be required, to authorize entry except during daytime. It is necessary, however, to permit entry in the early evening when the occupants, if they all work during the daytime, are more likely to be at home.
- 7 The choice of administrative officials is left to the local council, which must be guided by the qualifications of the personnel available. The urban renewal officer may be the same person as the building inspector, and the officials named in this subsection as delegates are simply suggestions. By using existing officials it may be possible to avoid adding to the multitude of inspectors already required in municipal administration.

- 8 The use of force should be a last resort and the officer should, of course, try to gain admission to the dwelling in a friendly way and appreciate the extent of his necessary intrusion into the occupant's privacy.
- 9 While these duties might have been left to be prescribed in the by-law, the fact that they are provincial statutory duties may more surely result in their being carried out.
- 10 In most cases, notice to the owners and the occupants will be sufficient but the section serves to remind the officer to give notice on a wider basis where other interested persons should be given an opportunity to be heard.
- 11 The words "notice" used hereafter, means, by virtue of section 1(d) *notice of violation and order to demolish or repair*.
- 12 The constitution of the committee is set out in section 12, below. The existing by-laws in Ontario treat the appeal question variously: City of Toronto By-law No. 14,466 provides for no appeal; City of Ottawa By-law No. 123-52 provides for no appeal but puts the administration in the hands of the Housing Standards Board consisting of the Assessment Commissioner; Building Inspector; Chief of the Fire Department; City Solicitor; Commissioners of Finance, Water Works, Welfare, and Works; the Director of Planning and Development and the Medical Officer of Health. The enabling Act, The City of Ottawa Act, 1952, S.O., c. 130, by s.1(9) itself provides for an appeal to the Ontario Municipal Board. Where the owner or occupants has the initial advantage of several persons' judgment, an appeal is of less importance. City of Windsor By-law 1718 put the administration into the hands of an Inspector, who is defined as the Building Commissioner, the Fire Chief, or the Medical Officer of Health; but allows an appeal to Board of Review of three persons selected by the Council and holding office at pleasure. Since the proposed by-laws under this Part must conform to an official plan, (section 2(1), *supra*) and are deemed to implement the plan (section 16, *infra*) the task of review could be given to a committee of adjustment simply by putting the words "committee of adjustment" in section 7 instead of "housing standards appeal committee" and deleting section 12. Whether the people selected for a committee of adjustment have the qualifications desired for reviewing housing decisions is another question. Probably persons with knowledge of construction costs and building values should be chosen.
- 13 None of the existing by-laws provides for a further appeal and none seems necessary although the Ottawa enabling Act ensures one in that City. If the committee of adjustment is selected as the appeal body there is a right of appeal to the Ontario Municipal Board, and on questions of law and jurisdiction, to the Ontario Court of Appeal. In any case the decisions of either committee would be open to review on *certiorari*, a special procedure whereby a high court may look at the proceedings of an inferior tribunal and, if necessary, quash the order. The words "final and binding" should be understood to admit of such review.
- 14 Without a section such as this it might be possible for a slum landlord to avoid responsibility by "selling" his property to his tenant, but regaining it as soon as the tenant defaults on payments, thus restoring the original relationship. If the notice is not made binding on the property by registration it might be necessary in such cases to reinspect the property and issue a new order, with another period for compliance, with the possibility of another "sale".
- 15 See comments above, footnote 12, respecting the alternative use of the committee of adjustment.
- 16 Compare section 39 of The Public Health Act, R.S.O. 1960, c. 321.
- 17 See footnote 12, above; this provision makes the committee of adjustment an available alternative to the housing standards appeal committee.



## CHAPTER XI

# A MODEL OCCUPANCY AND MAINTENANCE BY-LAW



### INTRODUCTION

In the course of preparation of the model model by-law in this study the following materials, among others, were examined. For the benefit of persons wishing to study the by-law more thoroughly before drafting a by-law suitable for local adoption, the materials that have been published and are reasonably accessible are referred to after the section of the model by-law by the number in this table. Thus, section 4.18 of By-law 1718 dated September 23, 1957, of the City of Windsor, Ontario, 1958, is referred to as III, s. 4.18.

- I By-law 14466, dated February 10, 1936, City of Toronto, Ontario: A By-law to establish a standard of housing in the City of Toronto. Amended by By-law 15583 dated May 19, 1941, and By-law 19530 dated Oct. 11, 1955, and City of Toronto Act, 1960.
- II By-law Number 123-52, a by-law of the Corporation of the City of Ottawa to establish a minimum standard for existing housing in the City of Ottawa, dated August 5, 1952.
- III By-law 1718, dated September 23, 1957, City of Windsor, Ontario: Minimum Standard Housing By-law, amended by By-law 1861 dated July 21, 1958.
- IV Ordinance No. 50 respecting minimum standards for housing accommodation, dated September 13, 1956, City of Halifax, Nova Scotia.
- V A proposed Housing Ordinance regulating supplied facilities, maintenance, and occupancy of dwellings and dwelling units. A guide prepared by the Committee on the Hygiene of Housing, (a subcommittee of the Committee on Research and Standards of The American Public Health Association) (1952).
- VI Model Housing Code (1960) reprinted in Volume 2 of Housing Codes, the key to housing conservation a demonstration project by the New York State Division of Housing in Co-operation with The Housing and Home Finance Agency.
- VII Model Code published by the NIMLO (National Institute of Municipal Law Officials).

### MODEL BY-LAW TO PROVIDE STANDARDS FOR THE OCCUPANCY AND THE MAINTENANCE OF RESIDENTIAL PROPERTY

A by-law to provide standards for the maintenance of the physical condition and for the occupancy of residential property in (or, in defined areas of) the city<sup>1\*</sup> of .....<sup>2</sup> The Council of the Corporation of the City of ..... enacts as follows:

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\* Footnotes to Model By-law appear at the end of this section.

Short title	1. This by-law may be cited as the Model Occupancy and Maintenance By-law.
Interpretation	<p>2. In this by-law<sup>3</sup></p> <p>(a) “accessory building” means a building or structure the use of which is incidental to the use of a dwelling and which is located in the yard around the dwelling;</p> <p>(b) “city” (or, in its proper alphabetical location, “town”, “township”, or “village”) means the Coporation of the City of .....;</p> <p>(c) “dwelling” means a building any part of which is or is intended to be used for the purposes of human habitation, and includes a building that would be or would be intended to be used for such purposes except for its state of disrepair;</p> <p>(d) “dwelling unit” means one or more rooms located within a dwelling and used or intended to be used for human habitation by one or more persons;</p> <p>(e) “habitable room” means any room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes;</p> <p>(f) “non-habitable room” means any room in a dwelling or dwelling unit other than a habitable room, and includes bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, basement, recreation room, boiler room or other space for service and maintenance of the dwelling, for public use, and for access to, and vertical travel between storeys;</p> <p>(g) “notice” means a notice of violation and order to demolish or repair residential property served by an officer pursuant to this by-law;</p> <p>(h) “officer” means an urban renewal officer appointed from time to time by the Council of the City to administer this by-law;</p> <p>(i) “owner” includes the person who for the time being receives the rent of, or manages, or pays the municipal taxes on residential property in connection with which the word is used, whether on his own account or as agent or trustee of any other person, or who would so receive the rent if the residential property were let;</p> <p>(j) “repair” means taking the necessary action to bring residential property to the standards prescribed by this by-law;</p> <p>(k) “residential property” means a dwelling with the yard around it, and includes every accessory building and every dwelling unit within the dwelling;</p> <p>(l) “sewage system” means the city sanitary sewer system if one is available, and if not, a private sewage disposal system approved by the Medical Officer of Health;</p> <p>(m) “standards” means the standards of physical condition and of occupancy prescribed for residential property by this by-law;</p> <p>(n) “yard” means the land other than publicly owned land around and appurtenant to the whole or any part of a dwelling and used or capable of being used in connection with the dwelling whether or not the land is owned by the owner of the building.</p>
General duty to repair and maintain residential property	<p>3. (1) The owner of residential property shall repair and maintain the property in accordance with these standards to the satisfaction of the officer.</p> <p>(2) Notwithstanding subsection (1) where the maintenance of any property affected by this by-law is by the written terms of a lease or an agreement for occupancy made the responsibility of the occupant, the officer may, in his discretion,<sup>4</sup> require the occupant to repair and maintain the property in accordance with these standards to the satisfaction of the officer.</p>



4. This by-law is divided into parts as follows: Part I — Maintenance of Yards and Accessory Buildings; Part II — Maintenance of Dwellings and Dwelling Units; Part III — Standards of Fitness for Occupancy; and Part IV — General Administration. Structure of by-law

## PART I — MAINTENANCE OF YARDS AND ACCESSORY STRUCTURES

5. A yard shall be kept reasonably clean and free from rubbish or other debris and from objects or conditions such as holes or excavations<sup>5</sup> that might create a health, fire or accident hazard. Yard to be kept clean

(I, s.2(1)7; II, s.3(b); III, s.4.21; IV, s.9(2); VI, s.A602d).

6. (1) Sewage shall be discharged into the sewage system. Sewage and drainage

(2) Inadequately treated sewage shall not be discharged onto the surface of the ground whether into a natural or artificial surface drainage system or otherwise.

(3) Storm water shall be drained from the yard so as to prevent recurrent or excessive ponding or the entrance of water into a basement or cellar.

(II, s.3(m); III, s.4.25; IV, s.9(2); VI, s.A602a).

7. Steps, walks, driveways, parking spaces, and similar areas of a yard shall be maintained so as to afford safe passage under normal use and weather conditions. Passageways

(I, s.2(1) 6; II, s.3(s); VI, s.A602c).

8. Ragweed and other noxious plants, such as poison ivy, poison oak, and poison sumac shall be eliminated from the yard. Obnoxious plants

(VI, s.A602e).<sup>6</sup>

9. (1) An accessory building, including a fence, shall be kept in good repair and free from health, fire and accident hazards. Accessory buildings

(I, s.2(1)1; II, s.3(a); IV, s.9(2); VI, s.A602b).

(2) Where an accessory building or any condition in a yard may harbour noxious insects or rodents all necessary steps shall be taken to eliminate the insects or rodents and to prevent their reappearance.

(V, s.9.6; VI, s.A604a).

(3) Domestic animals and pets shall be kept in accordance with the applicable city by-law.<sup>7</sup>

(4) The exterior of an accessory building shall be made weather resistant through the use of appropriate weather resistant materials including paint or other preservatives.

(5) Where an accessory building is not maintained in accordance with these standards it shall be removed from the yard.

10. (1) Every dwelling and every dwelling unit within the dwelling shall be provided with such receptacles as may be necessary to contain all the garbage, rubbish, and ashes that accumulate in the yard and in the dwelling. Garbage disposal

(2) Receptacles shall be

- (i) made of metal or plastic;
- (ii) made of water tight construction;
- (iii) provided with a tight fitting cover; and
- (iv) maintained in a clean state.

(3) Garbage, rubbish, and ashes shall be promptly stored in receptacles and removed in accordance with applicable city (town, village, township) regulations.

(4) Materials of an inflammable nature shall be safely stored or removed at once from the residential property.

(II, s.(q); III, s.4.28; IV, s.9(1); V, ss. 5.6; 5.7; 9.3; 9.4; appended ss. C and D; VII, s.12-610 (1)(a)(b) ).

## PART II — MAINTENANCE OF DWELLINGS AND DWELLING UNITS

11. (1) A dwelling shall be kept free of rodents and insects at all times and methods used for exterminating rodents or insects or both shall conform with generally accepted practice. Pest prevention

(2) A basement or cellar window used or intended to be used for ventilation, and any other opening in a basement or cellar that might let in rodents shall be screened with wire mesh or such other material as will effectively exclude rodents.

(3) During the time of year when insects may enter a dwelling, each outside door shall be equipped with self closing device and every window, including a window in a door, or other device that opens to outdoor space, used or intended to be used for ventilation, shall be appropriately screened with wire mesh or such other material as will effectively exclude insects.

(II, s.3(c); V, ss. 6.7; 6.8, 7.2; VI, ss. A604b, A604c; VIII, s.12-610(3) ).

(4) Screens are not required for windows of multiple storey dwellings in rooms high enough to be free from insects.

(VI, s.A604c).

Structural  
standard

**12.** Every part of a dwelling shall be maintained in a structurally sound condition and so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use.

(VI, ss. A301a, A303b; VII, s. 12-606(1) ).

Foundation  
walls

**13. (1)** A foundation wall of a dwelling shall be maintained so as to prevent the entrance of moisture, insects and rodents.

(2) Without restricting the generality of subsection (1) the maintenance includes shoring of the wall where necessary, installing subsoil drains at the footing, grouting masonry cracks, waterproofing the wall and joists and using other suitable means.

(V, s.7.1; VI, s.A302a; VII, s. 12-606(1) ).

Exterior  
walls

**14. (1)** An exterior wall of a dwelling and its components shall be maintained so as to prevent its deterioration due to weather and insects.

(2) Without restricting the generality of subsection (1) the maintenance includes the painting, restoring or repairing of the wall, coping or flashing, waterproofing of joints, waterproofing of the wall itself, installing or repairing of termite shields, treating of the soil with poison and using other suitable means.

(IV, s.3(c); VI, s. A302b).

Roofs

**15. (1)** A roof of a dwelling shall be maintained in a water-tight condition so as to prevent leakage into the dwelling.

(2) Without restricting the generality of subsection (1) the maintenance includes repairing of the roof and flashing, applying waterproof coatings, installing or repairing eavestrough and rain water piping and using other suitable means.

(3) Dangerous accumulations of snow or ice or both shall be removed from the roof of a dwelling or an accessory building.

(III, s. 4.5; IV, s.3(a); VI, s. A302c).

Windows and  
exterior doors

**16. (1)** Windows, exterior doors, and basement or cellar hatchways shall be maintained so as to prevent the entrance of wind and rain into the dwelling.

(2) Without restricting the generality of subsection (1) the maintenance includes painting, renewing rotted or damaged doors, door frames, window frames, sashes and casing, refitting doors and windows, weatherstripping, replacing defective door and window hardware, reglazing and using other suitable means.

(III, s.4.5; V, s.7.2, appended s.K).

Inside and  
outside stairs

**17. (1)** An inside or outside stair and any porch appurtenant to it shall be maintained so as to be free of holes, cracks and other defects which may constitute possible accident hazards.

(2) Without restricting the generality of subsection (1) the maintenance includes repairing or replacing

(a) treads or risers that show excessive wear or are broken, warped, or loose, and

(b) supporting structural members that are rotted or deteriorated.



(3) A handrail and banister shall be installed so as to provide reasonable protection against accident or injury on an open side of a stairway, balcony, landing, and stairwell.

(III, s.4.19; IV, s.3(b); V, s.7.3, appended s.L).

**18.** (1) Every wall and ceiling in a dwelling shall be maintained so as to be free of large holes or cracks and loose plaster or other material, the collapse of which might cause injury. Walls and ceilings

(2) Without restricting the generality of subsection (1) the maintenance includes repairing or filling holes and cracks and removing and replacing loose or defective parts.

(3) The surface of every wall and ceiling shall be finished so as to be reasonably smooth, clean, tight, and easily cleaned.

(I, s.II(1)3; II, s.3(e); III, s.4.4; IV, s.3(b); V, s.7.1, appended s.J).

**19.** (1) Every floor<sup>8</sup> in a dwelling shall be maintained so as to be free of loose, warped, protruding, broken, or rotted boards, that might cause an accident, or that might admit rodents into a room because of holes or wide cracks. Floors

(2) Without restricting the generality of subsection (1) the maintenance includes the repairing or replacing of floor boards and, where the floor boards have been covered with linoleum or some other covering that has become unduly worn or torn so that it retains dirt, the repairing or replacing of the linoleum or other covering.

(IV, s.3(b); V, s.7.1, appended s.J).

**20.** (1) Every bathroom floor and every toilet floor where the toilet is in a separate room, shall be maintained so as to be reasonably impervious to water and so as to permit easy cleaning. Toilet and bathroom floors

(2) Without restricting the generality of subsection (1) the maintenance includes installing, repairing, refinishing, and replacing a floor covering of a kind that will provide the waterproof and cleaning conditions required.

(V, s.7.5; VI, s.A303e; VII, s. 12-606).

**21.** (1) Every chimney, smoke pipe and flue on a dwelling shall be maintained so as to prevent gases from leaking into the dwelling. Chimneys

(2) Without restricting the generality of subsection (1) the maintenance includes clearing the flue of obstructions, sealing open joints, repairing masonry and using other suitable means.

(III, s.4.17; V, s.6.5, appended s.G; VI, s. A303c).

**22.** (1) Every fireplace used or intended to be used in a dwelling for burning fuel in open fires shall be maintained so that adjacent combustible material and structural members shall not be heated to unsafe temperatures. Fireplaces

(2) Without restricting the generality of subsection (1) the maintenance includes securing connection to a chimney that complies with the standard of this by-law, lining and repairing and relining with fire resistant material and installing and repairing and replacing the hearth.

(VII, s.A404).

**23.** Every floor, wall, ceiling, furnishing, and fixture in a dwelling shall be maintained in a clean and sanitary condition. General cleanliness

(IV, s.9(1); V, ss.9.1; 9.2; appended s.N; VI, s.A603b; VII, ss. 12-610 (1)(a),(c) ).

### PART III — STANDARDS OF FITNESS FOR OCCUPANCY

**24.** (1) All plumbing, including every drain pipe, water pipe, water closet and other plumbing fixture in a dwelling and every connecting line to the sewage system shall be maintained in good working order and free from leaks and defects. Plumbing

(II, s.3(a); V, s.7.4; VI s.A402-5a).

**25. (1) Where a dwelling is connected to the sewage system**

(a) a toilet

(b) a wash basin, and

(c) a bathtub or shower

all of which are served with hot and cold running water (except the toilet, for which only cold running water is necessary) and are connected to the sewage system shall be supplied and maintained in good working order accessible to and available for<sup>9</sup> each ten or fewer persons occupying the dwelling.

(2) The hot water serving the wash basin and bathtub or shower required by subsection (1) shall be served at such a temperature that it may be drawn from the tap at a temperature of not less than one hundred ten degrees Fahrenheit.

(3) Where a dwelling is not connected to a sewage system the toilet and bathroom facilities described in subsection (1) shall be supplied and maintained at a standard and in the manner prescribed by the Medical Officer of Health.

(4) A toilet required by this by-law shall be located within and accessible from within the dwelling.

(5) Where a toilet or urinal is used by the occupants of more than one dwelling unit the room in which it is located shall be accessible only from a common hall.

(6) No toilet or urinal shall be located within a room that is used for

(a) the preparation, cooking, storing, or consumption of food, or

(b) sleeping purposes.

(7) A wash basin served by running water draining into the sewage system shall be located in the room that contains a toilet required by this by-law, or in an adjoining room.

(I, ss. II(1) 13, 14, 15; II, s.3(n); III, s.4.16; IV, s.8(1); V, s.5.2; VI, s.A502-5).

**26. In a dwelling unit containing two or more rooms hot and cold running water draining into a sink connected to the sewage system shall be supplied and maintained in good working order.**

(I, s.II(1)13; II, s.3(m); IV, s.8(1); V, s.5.1; VI, s.A502-5).

**27. (1) Every dwelling shall be provided with a heating system capable of maintaining a room temperature of .....<sup>10</sup> degrees Fahrenheit at five feet above floor level in all habitable rooms and bathrooms and toilet rooms when the temperature outside the dwelling is .....<sup>11</sup> degrees Fahrenheit.**

(2) The heating system required by subsection (1) shall be maintained in good working condition so as to be capable of heating the dwelling safely to the required standard.

(3) Every dwelling shall be heated to the standard set out in subsection (1) during the hours between seven o'clock in the forenoon and eleven o'clock in the afternoon during every day between the first day of September and the first day of June in the next year.

(4) Every dwelling shall be heated to the standard set out in subsection (1) except that the temperature shall be maintained at..... degrees<sup>12</sup> in the hours between eleven o'clock in the afternoon and seven o'clock in the forenoon of the next day during every day between the first day of September and the first day of June in the next year.

(5) Without restricting the generality of subsections (1) and (2), the maintenance includes

(a) keeping rigid connections between all heating, including cooking, equipment burning any fuel and a chimney or flue ;

(b) keeping rigid connections between such equipment burning gaseous fuel and the supply line;



(c) keeping such equipment burning gaseous fuels properly vented to a duct leading to an outdoor space.

(III, s.4.17; V, s.6.5; VI, s.A504-1).

(6) No gas appliance of any kind shall be installed or maintained in working condition with a gas supply in any room used or intended to be used for sleeping purposes.

(VII, s.21-604(3)(a) ).

(7) No person shall use or allow to be used for sleeping purposes a room containing a gas appliance of any kind in working condition with a gas supply.

(8) Where a heating system or part of it or any auxiliary heating system burns solid or liquid fuel a place or receptacle for the storage of the fuel shall be provided and maintained in a convenient location and properly constructed so as to be free from fire or accident hazards.

(III, s.4.22).

**28.** (1) The electrical wiring and all equipment and appliances located or used in a dwelling shall be installed and maintained in good working order so as not to cause a fire or electrical shock hazard. Electrical service

(2) Without restricting the generality of subsection (1) the maintenance includes the repairing or replacing of defective wiring and equipment, the installing of additional circuits and any other repairs, alterations or installations required under the city electrical regulations.<sup>13</sup>

(3) When the capacity of a circuit within a dwelling or a dwelling unit is in full or nearly full use as indicated by the amperage or wattage requirements shown on the appliance or appliances in use, no person shall use an additional appliance so as to increase the use beyond the capacity of the circuit.

(III, s.4.20; V, s.6.4 and appended s.F; VI, s.A507-1' ).

**29.** (1) In a dwelling unit in which the occupants prepare or are intended or permitted to prepare food for their own consumption a suitable and convenient receptacle containing at least four cubic feet of storage space shall be maintained in good repair and in a clean state. Storage of food

(2) Some part of the four cubic feet of storage space required by subsection (1) shall be capable of sustaining a temperature low enough to preserve perishable foods for a reasonable time.

(I, s.II(1)16; II, s.3(p); III, s.4.18).

**30.** (1) Every dwelling and each dwelling unit within it shall have a safe, continuous and unobstructed passage from the interior of the dwelling unit and the dwelling to the outside of the dwelling at street or grade level. Egress

(I, s.II(1) 18; II, s.3(r); III, s.4(19); V, s.5.9; VI, s.A209).

**31.** (1) A source of light such as a window, skylight, transparent or translucent panel, or some combination of such sources, that faces directly on open space<sup>14</sup> at least three feet wide and at least six inches above the adjoining finished grade or above an adjoining roof and that admits as much natural light as would be transmitted through clear glass equal in area to ten per cent of the floor area of the room shall be provided and maintained in good repair in every habitable room. Light

(2) The open space opposite a source of light shall not be obstructed in any way and if it is obstructed the light source facing the open space so obstructed shall not be included in calculating the area of light source for the room.

(3) Every bathroom and toilet room shall have a permanently installed artificial lighting fixture that shall be maintained in good working order.

(4) Every stairway, hall, cellar and basement and every laundry, furnace room and similar non-habitable work room in a dwelling shall have adequate artificial light available at all times.

(I, s.II(1)8; II, s.3(g); III, s.4.11; IV, s.5(1) and (3); V, s.6.1; VI, s.A205-3; VII, s. 12-604 (1)(a) ).

Ventilation	<p><b>32.</b> (1) Every habitable room and every bathroom and toilet room shall have adequate ventilation.</p> <p>(2) Where an aperture such as a window, skylight, or louver is used for ventilation the aperture shall be maintained so as to be easily opened, kept open, and closed.</p> <p>(3) Where a system of mechanical ventilation or air conditioning such as an electric fan with a duct leading to outside the dwelling has been authorized by by-law and installed in a dwelling the authorized system shall be maintained in good working order.</p> <p>(I, s.II(1) 8; II, s.3(g); III, s.4.13; IV, s.5(4); V, s.6.2; VI, s.A205-3(c); VII, s. 12-604 (1)(a) ).</p>
Occupancy standards	<p><b>33.</b> (1) A non-habitable room shall not be used as a habitable room.</p> <p>(2) The minimum area of all the habitable rooms in a dwelling is one hundred square feet for each person living in the dwelling.</p> <p>(3) The minimum floor area of a room used by only one person for sleeping is sixty square feet.</p> <p>(I, s.II(1) 11; II, s.3(j) and (l); III, s.4.15).</p> <p>(4) The minimum floor area of a room used by two or more persons for sleeping is forty square feet for each person so using the room.</p> <p>(5) For the purposes of subsections (3) and (4) in computing the minimum floor area of a room the floor area under a ceiling that is less than five feet high shall not be counted.</p> <p>(6) For the purposes of this section the minimum height of a habitable room is seven feet over at least one half of the floor area.</p> <p>(III, s.4.10; V, s.8.3; VI, s.A205-1).</p> <p>(7) Where more than one half of the height of a room in a cellar or basement of a dwelling is below the average finished grade of the land adjoining the dwelling the room shall not be used as a habitable room unless at least the whole of one wall from the floor of the room is above the finished grade.</p> <p>(I, s. II(1)9; II, s.3(i); III, ss. 4.6 and 4.10; IV, s.4(3); V, s.8.5; VI, S. A205-2).</p>

#### PART IV — GENERAL ADMINISTRATION

Application of by-law	<p><b>34.</b> This by-law applies to all residential property in the city (or, in the areas of the city defined in Appendix A of this by-law).</p>
Conflict with other laws	<p><b>35.</b> Where a provision of this by-law conflicts with a provision of another by-law in force in the city, the provision that establishes the higher standard to protect the health, safety and welfare of the general public prevails.</p>
Severance of invalid provisions	<p><b>36.</b> When any provision of this by-law is declared invalid for any reason by a court of competent jurisdiction the remainder of the by-law still continues in force.<sup>16</sup></p>
Penalty	<p><b>37.</b> Every person who contravenes any of the provisions of this by-law shall, upon conviction, be liable to a fine not exceeding three hundred dollars exclusive of costs.<sup>17</sup></p>
	<p><b>38.</b> This by-law shall be administered by an urban renewal officer appointed by resolution of the council.</p>

#### FOOTNOTES TO THE MODEL OCCUPANCY AND MAINTENANCE BY-LAW

- 1 This suggested text refers to a city. It should only be necessary to substitute "town", "village", or "township" to make it applicable in any municipality since Section 2(1) of the enabling Act applies to "councils of municipalities".
- 2 There is no preamble before the long title for the following reasons. In the American by-laws dealing with minimum housing standards it is common to find a "purpose clause", such as section A102 of the New York Model Housing Code (Reference VI), which provides: *The purpose of this Chapter is to provide basic and uniform standards, in terms of performance objectives implemented by specific requirements, governing the condition,*

*occupancy and maintenance of residential premises, and establishing reasonable safeguards for the safety, health and welfare of the occupants and users thereof.*

A form more consistent with the model by-law that follows has been considered: *Because residential property that is below a desirable standard of structure, equipment, maintenance, or occupancy, adversely affects public health and safety and promotes urban blight, this by-law is passed to protect the health, safety, and welfare of the general public and of the owners and occupants of residential property by prescribing the responsibilities of the owners and occupants.*

Neither form, however, is of any obvious value. If it is intended to say what the by-law intends, it is superfluous. If it is intended to aid in the interpretation of the by-law, it is doubtful whether it will throw much light on the general language in which the by-law must be written. If such a clause is thought to be useful it can certainly be inserted, or it can be written even more generally as an introduction to the by-law, not forming part of it. The more traditional place for a "purpose clause" in Canadian by-laws is in the preamble, where it is placed in the proposed Housing Ordinance prepared by the Committee on the Hygiene of Housing (Reference V), which starts: *Whereas, in the (name of corporate unit), there are, or may in the future be, dwelling structures which are so dilapidated, unsafe, dangerous, unhygienic, or unsanitary as to constitute a menace to the health and safety of this (name of corporate unit): Be it therefore ordained . . . .* Although the Interpretation Act, R.S.O., 1960, c.191 s.8 provides that the preamble be deemed a part of the Act and intended to assist in explaining the purpose and object of the Act, judges usually refuse to look at the preamble unless the text of the legislation is ambiguous.

The authors of this report do not consider that the model by-law preambles or purpose clauses would be of much use and have accordingly omitted them in the interests of brevity.

- 3 The definitions are the same as in the enabling legislation. There is no point in shifting meanings from one piece of legislation to another as closely related as a by-law is to its enabling act. There are only four additional words: "city", "habitable room", "non-habitable room" and "sewage system". Experience may show that more will be required. In principle, however, words should be and have been used with their ordinary connotation, and the interpretation section should be reserved for special situations where a slightly unusual or especially limited meaning is intended, or a broader meaning is intended and the uncertain extension is made clear by being "included" in the meaning.
- 4 Whether the occupant rather than the owner should be forced to repair because his lease puts that burden on him is left to the discretion of the officer who may be satisfied that the provision in the lease is merely an attempt by the owner to place his responsibility on the occupant who he knows cannot afford to repair and who may get financial help under Section 14 of the enabling Act that would not be available to the owner.
- 5 In some American by-laws the reference to "holes or excavations" is more specific, e.g., *"any open well, cesspool, reservoir, privy (vault) ditch and gutter so foul or in such a state or so situated as to be personally injurious or dangerous to health shall be securely closed, filled in, removed or disposed of in a sanitary manner.* See the older New York Code, ss. 200.3, 200.4. Clarity and particularity are desirable qualities in a by-law, but brevity is also desirable. In any case, the language required to describe these standards must be fairly general, hence the test of the "satisfaction of the officer" as the final resort. A municipality adopting this by-law should attempt to increase the precision if possible so as to give the owners and occupants the clearest statement of their duties.
- 6 See The Weed Control Act, R.S.O., 1960, c. 427, ss. 3(1), 9, 10(1).
- 7 This and several other of the standards merely incorporate existing regulations. This code is intended to be a convenient statement of all standards. See s. 35 and footnote 14.
- 8 Including a cellar or basement floor. In some cities concrete floors in cellars or basements are preferred to wooden floors and such a standard might reasonably be put in the by-law, but a wooden floor in good condition may be considered sufficient.
- 9 Experience has shown that in rooming houses one toilet is sometimes used by the head tenant or owner exclusively and if it is not "available for" the roomers it should not count for the purpose of this Section.
- 10 Insert here the approximate temperature: 70° Fahrenheit is a common one; in some cases 68° is considered warm enough.
- 11 The appropriate outside temperature to be protected against is usually prescribed in local building contracts and N.H.A. building mortgages. Naturally the temperature will vary in different parts of Canada.
- 12 Sixty degrees Fahrenheit is a common night-time temperature.
- 13 Or, by the Hydro Electric Power Commission of Ontario's regulations, or the local hydro-electric power commission's regulations.
- 14 For the purposes of this section the "open space" opposite a source of light might be set as the minimum yard space required by the zoning by-law, if there is one.



- 15 The effect of this section is to leave the reader of this by-law in the dark about the standards that actually apply, since he is told that the higher standard, wherever it is set out, applies. If a proper study of existing by-laws is made, it should not be difficult to select the highest appropriate standard for this by-law, in which case, section 35 should read:

*"Where a provision of this by-law conflicts with a provision of another by-law in force in this city, the provision of this by-law prevails."*

Compare s. 35 of The Planning Act, R.S.O., 1960, c. 296, which provides that in the event of conflict the provisions of that Act prevail. It would be more appropriate for the subsidiary legislation passed under that Act to enjoy the same status. The usefulness of a code is reduced if it is not the final word on the subject, as nearly as may be.

- 16 The usefulness of the section is open to question. It is commonly used in American ordinances and appears fairly frequently in Canadian by-laws probably because they have been copied from earlier American models. In each case a court will decide for itself, regardless of this provision, whether what is left after the offending sections have been struck out can stand on its own feet. At best the section is a hint to the court.
- 17 The provisions of Part XXI, Penalties and Enforcement of By-laws, of the Municipal Act, R.S.O., 1960, c. 249 esp. s. 482, apply *mutatis mutandis* to the by-laws passed under The Planning Act, R.S.O., 1960, c. 296, s. 32. Here it is possible to provide for a fine on contravention and conviction, a necessary remedy for effective enforcement. Sections 485 and 486 of The Municipal Act provides for specific injunctive and mandatory remedies as well, but since this Part provides for such remedies on the initiation of the urban renewal officer, the general remedies are of no great importance.

## APPENDIX A

### *Study Objectives and Research Methods*

As contained in the original study proposals, two principal objectives have guided the research and analysis of the subject materials. The first objective has been to frame a model by-law or set of minimum standards affecting the occupancy and maintenance of dwellings. In the formulation of this by-law there has been an awareness of the variety of physical, social and economic conditions found across Canada. Incorporated into the model by-law are general recommendations governing administration and enforcement.

The second objective is the development of study techniques which will be of general interest and value to other provinces wishing to study this particular subject or similar subjects on an individual provincial basis. The techniques devised are developed around questions concerning existing legislation and administration and enforcement in Ontario communities.

Early organization of the study was devoted to establishing initial contacts and general publicity. Copies of the final study proposals outlining in detail the nature and scope of the study were circulated to Provincial Planning Officials across Canada and to a limited number of other people having a direct interest in the project. Following a press release, introductory form letters were sent to clerks of Ontario municipalities and subsequent publicity from articles in various planning periodicals gave the study widespread news coverage.

On July 10, 1959, a letter outlining the study project and asking for comment and information was sent out to more than 160 people and organizations (including Government Departments) in Canada, the United States, and the United Kingdom, and to a number of other Government Departments in European and Commonwealth Countries. The mailing list was prepared after a careful examination of various directories, publications and as a result of personal contacts.

Secondary source and reference material (books, pamphlets, reprints, newspaper clippings, and reports) were collected during the time the study was in progress.

A book list was prepared, and while very general in scope, it indicated the sources of more detailed information.

In the early study period, considerable time was spent examining those Statutes of Ontario which have an effect on the problem of minimum standards of occupancy and maintenance of dwellings. Numerous interviews with key personnel in the fields of health, welfare, civic administration, building, law and planning were conducted in Toronto and elsewhere. The resulting information was compiled and tabulated, and a rough draft of a model by-law prepared. Standards for structure, exterior maintenance, general fitness and occupancy were based, largely, on the New York State Codes and on the housing by-laws of Toronto, Ottawa and Windsor. The by-law was then annotated with provisions from the by-laws and various Ontario statutes dealing with related problems such as sanitation, fire and structure.

There were field visits to urban centres throughout the Province. Towns and cities were selected with regard to previously established contact and specialized interest and personnel. Urban centres visited, included Hamilton, Ottawa, Cornwall, Prescott, Kingston, Belleville, Trenton, Peterborough, Lindsay, Sault Ste. Marie, Blind River, Sudbury, Timmins, Windsor, Sarnia, London, Kitchener, Galt, Kenora, Port Arthur and Fort William. In the latter stages of the study, limited field work was conducted in selected rural municipalities.

To standardize the form of interview and visit, a questionnaire was developed around such interest and fact-finding categories as housing conditions, administration and inspection, municipal financial structure, enforcement provisions, legal problems, enabling provincial legislation, public relations, statistics, local economic conditions and political structure. Simplicity in detail and presentation was sought for purposes of flexibility and for encouraging the most natural communication of ideas and thoughts. Where time permitted, information was classified according to facts and opinions. General area impressions, field observations and ideas were set down as supplementary insights.

Exploratory contacts were made with appropriate departmental officers in all other provinces, and, in many instances, valuable suggestions and data have been forwarded to this office.

The second stage of the study was devoted to assembly and analysis of materials and the publication of a First Interim Report. Since completion of the First Interim Report, the interview schedule was modified to give greater emphasis to those study areas where weaknesses were apparent. It has also made possible a more judicious screening of sources of assistance on special topics.

A Second Interim Report dealt with a summary of findings resulting from a four week field trip to major cities in the provinces outside of Ontario. Visits were made to the following cities:—

Alberta — CALGARY, EDMONTON;  
British Columbia — VANCOUVER, VICTORIA;  
Manitoba — WINNIPEG;  
Newfoundland — ST. JOHN'S;  
New Brunswick — FREDERICTON, MONCTON, SAINT JOHN;  
Nova Scotia — HALIFAX, SYDNEY;  
Prince Edward Island — CHARLOTTETOWN;  
Quebec — MONTREAL, NORANDA, QUEBEC CITY, ROUYN,  
TROIS RIVIERES;  
Saskatchewan — REGINA, SASKATOON.

Any study on the value of laws and regulations dealing with the prevention of obsolescence in existing residential stock, and on the role such means play in the day-to-day and long-term municipal "house-keeping" programs would not be complete if it were to be limited to the boundaries of one province. Much value is to be gained by ascertaining whether or not similar problems and suggested solutions are to be found throughout Canada. Further, should problems of overcrowding and lack of maintenance exist generally throughout Canadian communities, the findings and data of the study may prove to be useful in helping to overcome them.

It was partially for this reason that the field work was undertaken. The chief reason, however, was to gauge the feasibility and possible implications of proposing a "National Code" for the occupancy and maintenance of existing residential stock. Directed toward this end, were three questions which formed the basis of the field work:—

1. To what extent do overcrowding, and the lack of physical maintenance in dwellings constitute a problem?

and

How do these factors rank with respect to other aspects of the problem of residential blight?



2. What legislation and what administrative machinery and procedures now exist to cope with the problem of overcrowding and the lack of maintenance?
3. What unique local circumstances are there which would affect the implementation of a "National Code" on occupancy and maintenance of dwellings?

An additional supplementary report has also been produced. This report contains a summary of experience in housing code enforcement programs in 45 selected American cities. It contains information on:—

1. How codes came to be enacted.
2. Responsibility for enforcement.
3. Enforcement policy behind code.
4. Difficulties encountered in enforcement.
5. Cost of program.
6. Organizational aspects.
7. How violations are dealt with.
8. Neighborhood improvements.
9. Citizen interest and promotional campaigns.

These procedures were devised to meet special circumstances which were peculiar to the study. Observations and comments on any particular phase will be supplied on request.



## APPENDIX B

### **COMPARISON OF SELECTED CANADIAN HOUSING MAINTENANCE AND OCCUPANCY BY-LAWS.**

#### Explanation of Abbreviations:-

"Specif."	-	Specification
"Perf."	-	Performance
"Discret."	-	Discretionary





1. Property Maintenance (synopsis)

	Declaration of purpose to provide basic uniform standards governing conditions, occupancy and maintenance of existing residential premises etc.	Declarations of scope, application and validity.	Definitions	A 602 a -specif. perf.	A 602 b discret.	A 602 c discret.	A 602 d perf.	A 602 e specif.	exterior of buildings must be periodically painted if liable to deterioration	floors and walls of the dwelling unit shall be free of dampness	the basement or cellar of every dwelling shall be dry	the exterior of every dwelling house shall be maintained in a clean and tidy state to the satisfaction of the Building Inspector	floors, walls, ceilings, etc. must be clean and sanitary	accessory structures must be safe and healthy
N.Y. State Model Code	A 102	A 104, 105, 106, 107, 108	A 109	A 602 a -specif. perf.	A 602 b discret.	A 602 c discret.	A 602 d perf.	A 602 e specif.	A 603 a specif.	----	----	----	A 603 (b) discret.	A 603 (c) discret.
Toronto	----	----	I, II (a)	----	II (1) 1. (in part) discret.	----	II (1) 7. perf.	----	----	II (1) 5 perf.	----	----	----	II (1) 1. in part discret.
Windsor	preamble (short)	1. 2 (short)	2.1	----	----	----	4. 21 perf.	----	----	4. 23 perf.	----	----	----	----
Ottawa	title (short)	----	1.	----	3 (a) in part	----	3(b) perf.	----	----	3(f) perf.	3(c) in part perf.	----	----	----
St. John N. B.	----	----	1.	3(a) in part 4(1) in part	4(2) discret.	----	4(1) in part perf.	----	3(c) (in part) specif.	----	----	3(c) in part discret.	----	----
Halifax	----	2.	1(a) (g) incl	3(a)	9(2) A -specif. perf.	----	9(2)	----	----	3(a)	3(b) 4(3)(c)	3(c)	3(b)	----
Yarmouth	----	3.	2.			----	----	----	10 A- specif.	6(b) perf.	----	----	6(a)	----

## 1. Property Maintenance (cont'd)

	all grounds and buildings must be free of vermin and rodents by use of commonly accepted ways	must be screening on windows and doors	adequate sanitary facilities for handling of garbage	in multiple dwellings illegal to accumulate garbage in public hallways.	pets must not be allowed to run at large	
N.Y. State Model Code	A 604 (a) specif.	A 604 (b)(c) specif.	A 605 (a) discret.	A 605 (b) specif.	A 606 specif.	
Toronto	----	----	11(1) 7 in part in part perf.	11(1) 7 in part in part perf.	----	
Windsor	----	----	4.21	4.21	----	
Ottawa	3(c) in part specif.	----	3(b) (q) specif.	3(b)	----	
St. John N. B.	4(3) in part perf.	----	4(3) in part specif.	4(3) in part specif.	----	
Halifax	----	----	9(1) specif.	----	----	
Yarmouth	8(1) in part perf.	----	7(4) specif.	----	----	



## 2. Structural Requirements

	dwelling including foundation walls & all fences etc., must be in good repair	interior side of exterior walls and walls of dwelling intended for use as human habitation shall be plastered etc., to the satisfaction of the inspector	all buildings and dwelling units shall be weatherproof	foundation of all buildings including the dwelling and all necessary buildings shall be continuous around the perimeter of the buildings and shall be constructed of masonry concrete or other material approved by the Building Comm.	exterior cladding must be adequate to prevent moisture from entering the building in any way and all windows shall be glazed properly with putty or stops and fitted so as to prevent entrance of water from the exterior	must maintain buildings so that it can sustain its own weight & normal load	must maintain building so that no dangerous settlement or movement occurs	must maintain against deterioration of structural members by action of weather or insects	must maintain so that ground water does not leak into house	foundation wall must be structurally sound so that water, vermin & insects are excluded	exterior walls must be free from deterioration from weather and insects
N.Y. State Model Code	-----	-----	-----	-----	-----	A 301 (a) perf.	301(b) discret.	301(c) specif.	301(d) perf.	A 302(a) specif.	A 302(b) specif.
Toronto	II(1) 1. discret.	II(1) 3 specif. discret.	II(1)4 in part perf.	-----	-----	-----	-----	-----	-----	-----	-----
Windsor	4.1 discret.	4.4 specif.	-----	4.2 specif.	4.5 in part perf.	-----	-----	-----	-----	-----	-----
Ottawa	3. (a)	3 (e)-specif-discret.	3(d) in part perf.	-----	-----	-----	-----	-----	-----	-----	-----
St. John N. B.	3 specif.	-----	3(a) in part perf.	-----	-----	3(b) in part discret.	3(b) in part discret.	-----	-----	-----	3(b) in part discret.
Halifax	9(2) part	-----	-----	-----	-----	-----	-----	-----	3(a)	-----	-----
Yarmouth	6 perf.	-----	-----	-----	-----	-----	-----	-----	6(a)	-----	-----

## 2. Structural Requirements (cont'd)

	roof must be watertight by means of repairs	crawl space must be dry and free of ventilation so members will remain structurally sound	structural members must be sound	chimneys and flues must be sound and not allow gas and smoke leakage into dwelling	ceilings and walls must not have dangerous base or defective parts	toilets and bathroom floors must not allow leakage but must be waterproof etc.	in multiple dwellings floors of the bath-rooms etc. must have waterproofing 6" from floor	interior & exterior stairs shall be wide enough to serve the occupants	must be railings on open portions of stairs, balconies, etc.	
N.Y. State Model Code	A 302 (c) specif.	A 303 (a) specif.	A 303 (b) specif.	A 303 (c) specif.	A 303 (d) specif.	A 303 (e) 207 e,f specif.	A 207 e,f specif. - perf.	A 208 (a) discret.	A 208 (b) specif.	
Toronto	---	---	---	---	---	---	---	---	---	
Windsor	4.5 in part perf.	---	---	---	---	---	---	---	4.19 (5) specif.	
Ottawa	---	---	---	---	---	---	---	---	---	
St. John N. B.	3 (a) in part	---	---	---	3 (b) in part discret.	---	---	---	---	
Halifax	3(a)	---	---	---	---	---	---	---	---	
Yarmouth	6(b) in part	---	---	---	---	---	---	---	---	

### 3. Stairs, Ingress & Egress

	landings of not less than 3' in depth shall be provided at the top & bottom of every flight of stairs	no flight of stairs shall exceed 12' vertical rise without a landing	all exterior doors on dwellings containing three or more dwelling units shall open outwards and all doors on stair enclosures shall open in the direction of exit travel	no riser in any stair shall exceed 8" in height and no tread shall be less than 9" in depth excluding nosing	if deemed necessary by the fire chief or building comm. the requirements for means of egress from any building may be increased	shall be suitable walks leading from the entrance or entrances of any building to the street	there shall be for each dwelling unit a separate access either to a hallway, landing staircase or the street	each means of egress from a dwelling unit shall lead directly to the exterior without passing through another dwelling unit	one means of egress must be within the building while the other may be exterior but may not obstruct any window & if, building is over 2 storeys high the stair must be steel	the inner means of egress must be enclosed in walls & doors having a one-hour fire rating	distance from any exit door of a dwelling unit to a stairway or to the exterior shall not exceed 75' in a frame building having a fire resistance rating of one hour
N. Y. State Model Code	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -
Toronto	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	11(1) 6 specif. discret.	11(1) 18 specif.	- - - - -	- - - - -	- - - - -	- - - - -
Windsor	4.19 (3) specif.	4.19 (4) specif.	4.19 (6) specif.	4.19 (7) specif.	4.19 (9) discret.	- - - - -	- - - - -	4.19 (1) in part specif.	4.19 (2) in part specif.	4.19 (2) in part perf.	4.19 (8) specif.
Ottawa	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	3. (s) discret.	3 (r) specif.	- - - - -	- - - - -	- - - - -	- - - - -
St. John N. B.	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -
Halifax	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -
Yarmouth	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -



3. Stairs, etc. (cont'd)

	must be a safe unobstructed exit to outside at street level	exits shall allow safe escape if an emergency	must be a secondary exit or one more exit opening for emergency use	exits in multiple dwellings must have exit signs, visible from the approach to the exits, etc.	direction signs shall be provided at locations from which the exit doorways are not readily discernible in the following way	exit & directional signs must be illuminated either externally or internally by electric lights & must be so illuminated at all times that the building is occupied	
N.Y. State Model Code	A 209 (a) specif.	A 209 (b) perf. discret.	A 209 (c) specif.	A 507-3a perf.	A 507-3 b c specif.	A 507-3 d perf.	
Toronto	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Windsor	- - - -	- - - -	4.19 (1) in part	4.27 (in part) discret.	- - - -	- - - -	
Ottawa	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
St. John N. B.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Halifax	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Yarmouth	- - - -	6(e) perf.	- - - -	- - - -	- - - -	- - - -	

	maximum number determined by following rule: one occupant for every 80 to 100 square feet, two occupants for 100 to 250 sq. feet, etc.	habitable space must have ceiling at least 7' 6" high over 50% of floor area where ceiling is over 5' high	public space must have a ceiling at least 7' 6" high	non-habitable space other than crawl space, must have a ceiling at least 7' high	each dwelling unit must have at least one habitable room with 150 sq. feet floor area	kitchens must have at least 60 sq. feet floor area	minimum dimensions of living-room, dining-room, kitchen, first bedroom, odd bedroom etc., living-dining- room, living-bedroom, kitchen- dining room etc.	dimension of alcove	certain basements are not habitable space	no kitchen, non-habitable space or public space can be used for sleeping	in lodging houses, communal kitchens of certain size, or non- habitable space shall not be used for dining	prohibited to prepare or eat meals in lodging units	prohibited to use cellar as habitable space
N.Y. State Model Code	A 203 a b c specif.	A 205-1 a specif.	A 206-1 specif.	A 207-1 specif.	A 205-1b specif.	A 205-1b c specif.	A 205-1b, c, d specif.	A 205 -1 d specif.	A 205 -2 specif.	A 204 a specif.	A 204 b specif.	A 204c specif.	A 204 d specif.
Toronto	11 11. (in part) specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1K(1) 9 specif.	1K(1) 10 specif.	- - - -	- - - -	1K(1) 9 specif.
Windsor	- - - -	4.10 specif.	- - - -	- - - -	4.9 specif. (detail)	4.9 specif. (detail)	4.9 specif. (detail)	4.9 specif.	- - - -	- - - -	- - - -	- - - -	4.6 specif.
Ottawa	3 (1) specif.	3(c) in part specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	3(i) specif.	- - - -	- - - -	- - - -	3(1) specif.
St. John N. B.	- - - -	5(2)(a)(b) specif.	- - - -	- - - -	- - - -	- - - -	5(1) specif. (detail)	- - - -	5(3) specif.	- - - -	- - - -	- - - -	5(3) (f) specif.
Halifax	4 (2)specif.	- - - -	- - - -	- - - -	- - - -	4(2) specif.	4 specif.	- - - -	4(3) 4(4) specif.	- - - -	- - - -	- - - -	4(4) in part specif.
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -

# 4. Occupancy (cont'd)

	dwelling units shall be separated from each other & from other spaces outside	no room used for sleeping purposes shall be occupied by more than one person for each 50 sq. ft. nor in any case by more than 3 persons	no greater number of persons shall occupy any dwelling unit than will permit the proper segregation of the sexes over 10 years of age in separate rooms	where more than 2 persons occupy any dwelling unit the preparation and cooking of food shall not take place in any room used for sleeping purposes	one dwelling to a lot which conforms to zoning by-law	sleeping rooms must be separated from each other and from outside spaces to give privacy	lodging units must be separated from each other and from spaces outside the lodging unit	communal kitchens or dining room in a lodging house must be accessible to all occupants sharing it without going through the dwelling unit of others	toilet rooms in one and two family dwellings must have provision for privacy	toilet rooms & bathrooms must be located in the dwelling units in multiple dwellings and must be directly accessible to all sleeping rooms	toilet rooms in multiple dwellings must be provided in each storey of habitable space
N.Y. State Model Code	A 204-4a specif.	----	----	----	----	A 205-4 b specif.	A205-4 c specif.	A 205-4 d specif.	A 207-2 b perf.	A 207-2 a specif.	A 207-2 c specif.
Toronto	----	IK(1)11.(in part)specif.	IK(1) 12 perf.	IK(1) 15 specif.	----	----	----	----	----	----	----
Windsor	----	4.15 specif.	----	----	4.7 specif.	----	----	----	----	----	----
Ottawa	----	3 (j) specif.	----	3 (k) specif.	----	----	----	----	----	----	----
St. John N. B.	----	----	----	----	----	----	----	----	----	----	----
Halifax	----	4(1) in part	----	----	----	----	----	----	----	----	----
Yarmouth	----	----	----	----	----	----	----	----	----	----	----



4. Occupancy (cont'd)

	no water closet or urinal shall be located within a room used for preparation, cooking, storing or consumption of food, or without a room used for sleeping purposes	no room in which any water closet or urinal is located shall communicate directly with any such room in any premises in which the same water closet or urinal is available for use to more than one family	toilet rooms for employees in multiple dwellings where there are 5 or more employees must be separate for each sex, readily accessible	communal dining rooms must have a dining chair and two lineal feet of dining space for each present occupant	
N.Y. State Model Code	- - - -	- - - -	A 207-2 d specif.	A 508-2 specif.	
Toronto	- - - -	- - - -	- - - -	- - - -	
Windsor	- - - -	- - - -	- - - -	- - - -	
Ottawa	- - - -	- - - -	- - - -	- - - -	
St. John N. B.	10(4) in part specif.	10(4) in part specif.	- - - -	- - - -	
Halifax	8(4)	8(4)	- - - -	- - - -	
Yarmouth	7(1) in part	- - - -	- - - -	- - - -	

5. Light

	habitable space must have natural light through windows etc., facing above adjoining surface	habitable space must have artificial light	public space must have appropriate artificial light	public stairs, etc. must have electric light of stated standards	no windows in habitable rooms in dwellings containing 3 or more dwelling units shall open into inner or outer courts unless the inner court or outer court is constructed as follows:	no windows of rooms other than habitable rooms in dwellings shall open into courts unless the courts are constructed as follows:	all public halls in multiple dwellings shall be adequately lighted at all times by the owner.	every dwelling where electricity is used shall have in every passage or stairway at least one ceiling or wall-type electric light fixture which shall be in proper working order and shall be capable of adequately lighting it.	at least one electric light outlet shall be installed in every basement and cellar of a dwelling in such manner as will provide adequate illumination for the stairway etc.	residential buildings and occupancies shall be wired for electricity and lighting equipment shall be installed throughout to provide adequate illumination for the intended use of each space.
N. Y. State Model Code	A205-3 a specif.	A205-3 b,specif.	A206-2 a,discret	A206-2 b,specif	- - - -	- - - -	- - - -	- - - -	- - - -	A507-2 a specif.-perf.
Toronto	11(1) 8 (in part) specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Windsor	4.11 specif.	- - - -	- - - -	- - - -	4.24 (in part) specif.	4.24 (in part) specif.	4.27 (in part) perf. discret.	- - - -	- - - -	- - - -
Ottawa	3.(g) in part specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
St. John N. B.	6 (1) specif.	- - - -	- - - -	- - - -	- - - -	- - - -	6(4) specif.	7(1) perf.- discret.	7 (5) perf. discret.	- - - -
Halifax	5 (4) in part specif.	5 (5) in part specif.	- - - -	5(5) specif.	- - - -	- - - -	5(5) specif.	6(1) specif.	6(5) specif.	- - - -
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -

	the electric wiring system shall be connected to an adequate source of supply	there shall be a switch or other means for controlling a light in each dwelling unit near the point of entrance to the unit	all kitchenettes, bathrooms, toilet rooms, laundry rooms etc., must have appropriate light	A207-3 a b, perf. discret.	A207-3 c, discret.	stairs must have artificial light to allow safe ascent and descent	all window sash shall be glazed and provided with suitable hardware	
N.Y. State Model Code	A507-2 a perf.	A507-2 b specif.					---	
Toronto	---	---	---	---	---	---	III(1) 8 (in part) specif.	
Windsor	---	---	4.12 specif. (detail)	---	---	---	---	
Ottawa	---	---	3 (h) specif.	---	---	---	3(g) in part specif.	
St. John N. B.	---	---	6(2) 7(9) specif.	---	---	---	---	
Halifax	---	---	6(9)	---	---	---	---	
Yarmouth	---	---	7(5) in part	---	---	---	---	



6. Ventilation

	habitable space must have natural ventilation through window or door openings and may have mechanical ventilation	kitchenettes, bathrooms etc. must have the following ventilation:	spaces in multiple dwellings which contain central-heat-producing equipment etc. must be ventilated to the open air.	must be ventilation of unheated attics, spaces below flat roofs and crawl spaces.	public space must have either natural ventilation, conforming with the requirements for habitable space or with mechanical ventilation.	the cellar of any building shall be ventilated.	exhaust air from a dwelling unit shall not be circulated to another dwelling unit	ducts shall be securely fastened in place and appropriately firestopped	highly flammable refrigerants prohibited in multiple dwellings and flammable or toxic refrigerants not be used for air conditioning	ventilating system must not allow rapid speed of heat, flame or smoke thru it and must not be dangerous to nearby combustible material	stairways etc. must not be used as plenum chambers	ducts and other air handling equipment shall be of non-combustible material
N.Y. State Model Code	A 205-3 c d specif.	A207-3 d specif.	A 207-3 e specif.	A 207-3 f perf.	A 207-2 c perf.	---	A509 b specif.	A509 c A510 2 (c) discret	A510-1 discret.-specif.	A510 2 a perf.-discret.	A510-2b specif.	A510 2 d perf.
Toronto	11(1)8 (in part) specif.	11(1) 8 (in part)	11(1) 8 (in part)	11(1) 8 (in part)	---	11(1) 2 perf.	---	---	---	---	---	---
Windsor	4.13 specif.	4.14 specif.	---	4.3 (in a part) specif.	---	4.3 (in part) perf.	---	---	---	---	---	---
Ottawa	3(g) in part specif.	3.(h) specif.	---	---	---	3 (c) (in part) perf.	---	---	---	---	---	---
St. John N. B.	6(1) specif.	6(2) specif.	---	---	---	---	---	---	---	---	---	---
Halifax	5(1) specif.	5(1) (2) specif.	---	---	---	---	---	---	---	---	---	---
Yarmouth	---	7(5) specif.	---	---	---	6(a) (in part)	---	---	---	---	---	---

6. Ventilation (cont'd)

	filters shall be installed and maintained so as not to constitute a fire or smoke hazard	ducts passing within combustible construction shall be separated from it by a clearance of at least $\frac{1}{2}$ " or thick insulating material of at least $\frac{1}{4}$ "	air used for ventilation shall be taken from exterior or quality controlled	smelly exhaust from space or air from a dwelling unit shall not be circulated to other occupied spaces in the building	air intake and exhaust openings shall be so designed and placed so as not to constitute a hazard or nuisance and prevent fire, smoke, fumes, etc. being drawn into the system	systems must have adequate openings for incoming and outgoing air and source of air must be uncontaminated	if openings are located in same spaces as fuel burning equipment, there must also be fixed intake openings to exterior to give fuel burning equipment enough air	spaces where odors, gases, vapours etc. may accumulate and become a potential source of hazard or nuisance shall have adequate means of ventilation to remove the excess	public spaces shall have means to obtain air supply for the maximum number of persons for which the spaces were designed	shall have manually operated controls which must be conspicuously identified and easily accessible outside fan room
N. Y. State Model Code	A510-2e	A510-2 f specif.	A510-2 g specif.	A510-2 b specif.	A510-3 (a) perf.,-discret.	A510-3(b) discret.	A510-3(c) discret.	A510-4 (a) discret.,-perf.	A510-4 (b) discret.,-perf.	A510-5(a) specif.
Toronto	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -
Windsor	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -
Ottawa	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -
St. John N. B.	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -
Halifax	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -
Yarmouth	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -

6. Ventilation (cont'd)

	systems using recirculation air and serving an assembly space of more than one fire area or more than one storey of a building shall have an automatic cut-off when temperature rises abnormally	systems for ventilating an assembly space shall be provided with an emergency switch conveniently located and with a durable instruction sign to shut down system in case of fire	all windows required for purposes of ventilation shall be capable of being opened to an extent of at least 30% of the glass area of the window	
N.Y. State Model Code	A 510-5 (b) specif.	A 510-5 (c) specif.	- - - -	
Toronto	- - - -	- - - -	- - - -	
Windsor	- - - -	- - - -	- - - -	
Ottawa	- - - -	- - - -	- - - -	
St. John N. B.	- - - -	- - - -	6(3) specif.	
Halifax	- - - -	- - - -	5(4) specif.	
Yarmouth	- - - -	- - - -	- - - -	



7. Fire - Safety Rules and Fire Protection

	forbidden to accumulate or store on residential premises except in approved locations, highly inflammable matter-or to store, accumulate in passage ways, stairs, etc. materials which might obstruct egress etc.	walls and ceilings shall be free of cracks which would permit flame or excessive heat from entering	in mixed buildings non-residential space shall be separated from residential space by construction which will retard the spread of fire	garages attached to residential buildings shall be separated from other spaces in the building by construction which will retard spread of fire and prevent flammable or toxic vapours from the garage from spreading to other parts of the building.	interior finish materials, surface insulation and decorative treatment on the walls and ceilings and interior trim shall not in burning, give off excessive amounts of smoke or objectionable gases.	fire-places etc. intended to be used to burn fuel in open fires shall be connected to approved chimneys and shall be installed so that nearby combustible material shall not be heated to unsafe temperature.	hearths and linings or other parts of fire-places exposed directly to flame shall be of material that will not melt, disintegrate, spill or shatter at high temperatures.	wood mantels and trim on fire-places shall be placed and attached so that they cannot be heated to unsafe temperature or ignited by sparks or embers from the fire	
N. Y. State Model Code	A 401 specif.- perf.	A 402 a specif.	A 402 b perf.	A 403 discret.- perf.	A 403 discret. perf.	A 404	A 404 b perf.	A 404 c perf.	
Toronto	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Windsor	4.26; 4.28 specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Ottawa	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
St. John N. B.	4(3) in part perf.	- - - -	- - - -	- - - -	- - - -	11 (in part) specif.	- - - -	- - - -	
Halifax	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	

7. Fire Rules (cont'd)

	chimney shall pass through any combustible floor etc. except that in a dwelling such a pipe may pass thru a combustible floor etc. if this is cased in 4" of solid masonry.	if a multiple dwelling has a central heating system, it shall be located in a separate room having walls, ceilings and doors, with fire resistance rating of not less than one hour.	no fire-place shall be used unless it is constructed and lined with fire resistant material and connected to a chimney flue	every fire-place shall have a hearth chimney breast and extending at least 8" beyond each side of the fire-place opening	no pipe connected to a heat appliance burning solid or liquid fuel conveying products of combustion to a chimney shall pass through any combustible floor etc. except that in a dwelling such a pipe may pass thru a combustible floor etc. if this is cased in 4" of solid masonry	chimneys, flues and gas vents shall be installed and maintained so that when used, the temp. of combustible materials adjacent thereto does not exceed a safe temp.	chimneys or flues connected to incinerators and chimneys or flues which may emit sparks shall have a non-combustible spark-arrester.	required fire alarm systems shall be maintained in proper operating condition at all times.	required sprinkler equipment must be maintained in proper operating condition at all times and storage of materials shall cause minimum interference with effective discharge of water.
N.Y. State Model Code	- - - -	- - - -	A 404 (in part) specif.	- - - -	- - - -	A 505-2 perf. discret.	A 505-3 perf.	A 512-1 perf. discret.	A 512-2 a perf. discret.
Toronto	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Windsor	- - - -	4.17 (in part) perf.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Ottawa	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
St. John N. B.	- - - -	- - - -	II (in part) specif.	II (in part) specif.	8(c) specif.	- - - -	- - - -	- - - -	- - - -
Halifax	- - - -	- - - -	- - - -	- - - -	7(3) specif.	- - - -	- - - -	- - - -	- - - -
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -

7. Fire Rules (cont'd)

	valves controlling water supply to sprinklers shall be secured in the open position - and sprinkler heads shall be kept free of corrosion and paint.	standpipe systems shall be maintained in proper operating condition at all times with all filling, emptying etc. of tanks done by means of fixed piping etc.	fuel oil shall be received, stored and conveyed by means of fixed liquid-tight equipment	tanks shall be vented and shall be installed and maintained so as not to be a hazard to the premises served or the surrounding property.	automatically operated boilers and furnaces using fuel oil shall be provided with remote control to stop the flow of oil during fire or other emergency	gate valves at base stations shall be maintained tight against leaks - and base shall be in proper position ready for operation.	every oil burner shall have an approved hand fire extinguisher or two round-bottom pails filled with sand.	portable extinguishers required for fire protection shall be in their designated locations and in a condition to allow immediate efficient operation.	
N.Y. State Model Code	A 512-2 bc specif.	A 512-3 ab perf. discret.	A 511-1 specif.	A 511-2 perf. discret.	A 511-3 a perf.	A 511-3 bc perf.	A 512-4 a perf.	A 512-4 b	
Toronto	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Windsor	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Ottawa	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
St. John N. B.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Halifax	- - - -	- - - -	- - - -	- - - -	6(7) (in part)	- - - -	- - - -	- - - -	
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	



# 8. Equipment Rules

N.Y. State Model Code	A 501- a perf. all equipment, plumbing, heating, electrical, ventilating, conditioning, refrigerating, cooking, five protection, elevators, escalators, etc. must be so installed and maintained as not to be dangerous in any way or be a source of ignition etc.	A 501 b perf. equipment and systems subject to damage from freezing shall be adequately protected from freezing.	A 501 c perf. moving parts of equipment which may be a potential hazard shall be guarded to protect against accidental contact.	
Toronto	II (a) 4. (in part) re: heating equipment-perf.	- - - -	- - - -	
Windsor	4.17 (in part) re: heating equip. perf.	- - - -	- - - -	
Ottawa	3 (d) (in part) re: heating equip. perf.	- - - -	- - - -	
St. John N. B.	9(1) in part; 8 (re: stoves, ranges and space heaters). specif. (in detail)	- - - -	- - - -	
Halifax	7 (in part) re: stoves, ranges, heaters	- - - -	- - - -	
Yarmouth	- - - -	- - - -	- - - -	

8. (a) Cooking and Refrigeration Equipment

	each dwelling unit must have appropriate cooking and refrigeration equipment which must be maintained safe.	gas burning cooking equipment must be permanently fastened in place and connected with metal piping to supply.	solid fuel-burning cooking equipment must be appropriately vented.	communal kitchens and dining-rooms must contain the followings - 1 kitchen sink; 1 kitchen stove etc.	every dwelling unit must have a suitable receptacle for food storage of at least 4 cu. feet etc.	stoves and ranges consuming solid or liquid fuels may be supported on combustible floors if they are 6" clear of the floor and are set on metal covered asbestos etc.	
N. Y. State Model Code	A 508-1 c discret	A 508-1 c specif.	A 508-1 d discret.	A 508-2 specif.	---	---	
Toronto	---	---	---	---	11(1) 16 discret.	---	
Windsor	---	---	---	---	4.18 discret.	---	
Ottawa	3(p) (in part) discret.	---	---	---	3(p) discret.	---	
St. John N. B.	---	---	---	---	---	8(a); 8(b) (in part) specif	
Halifax	---	7 in part	---	---	---	7 specif.	
Yarmouth	---	---	---	---	---	---	

8. (b) Heating and Rules re: Heat Producing Equipment

	residential buildings shall have heating equipment which is designed to maintain at temp. of at least 70 degrees F. 3' from exterior walls and 5' from the floor between Nov. 1 and May 1.	fuel-burning equipment shall be installed and maintained so that the emission of smoke etc. is not a nuisance or detrimental to health, comfort etc. of anyone.	all buildings and dwelling units shall be capable of being adequately heated with a reasonable consumption of fuel.	there shall be a convenient and proper place or receptacle for the storage of fuel in or about the dwelling and in or about any dwelling unit that is independently heated.	space heaters consuming solid or liquid fuels may be supported on combustible floors or benches provided they are supported at least 6" clear of the floor and are set on a metal covered asbestos pad at least 3/8" thick etc.	every heat duct, steam pipe and hot water pipe shall be free of leaks and shall function so that an adequate amount of heat is delivered where intended.	all air handling equipment used for heating shall conform to the requirements of such equipments used for ventilating purposes.	fuel-burning water heaters shall not be located in sleeping-rooms bathrooms or toilet rooms.	fuel-burning equipment shall be permanently fastened in place and connected to supply by metal pipe or tubing.
N.Y. State Model Code	A 504-1 specif.	A 504-2 discret., - perf.	- - - -	- - - -	- - - -	- - - -	A 504-3	A 504-4 specif.	A 504-5 specif.
Toronto	- - - -	- - - -	II(1) 4 (in part) perf.	II(1) 17. specif discret.	- - - -	- - - -	- - - -	- - - -	- - - -
Windsor	4.17 (in part) perf.	- - - -	- - - -	4.22 specif. discret.	- - - -	- - - -	- - - -	- - - -	- - - -
Ottawa	- - - -	- - - -	3(d) in part perf.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
St. John N. B.	9(1) (2) (in part) perf.	9(3) (a) perf.	- - - -	- - - -	8(a); 8(b) in part specif.	9(3) (b) perf.	- - - -	- - - -	- - - -
Halifax	- - - -	- - - -	- - - -	- - - -	7(1) specif.	- - - -	- - - -	- - - -	- - - -
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -



## 8. (b) Heat (cont'd)

	where heat-producing equipment is installed near to combustible materials the location, insulation etc. of the equipment must be such that the temp. of the combustible material is safe.	direct-fired heat producing equipment and enclosure shall be provided with an adequate supply of air for complete combustion and for adequate ventilation.	air supply to rooms containing fuel-burning equipment shall come from openings to exterior.	solid or liquid fuel burning equipment shall be connected to suitable chimneys or flues and not to gas vents	gas-fired equipment shall be connected to a suitable chimney etc. when discharge of products of combustion into installation space would be a hazard.	equipment capable of developing hazardous pressures and temps. must have safety means to relieve them.	controls for safe operation of automatically operated heat-producing equipment shall work as follows:	fuel-burning equipment for garages servicing multiple dwellings shall be located in heater rooms except that gas or liquid burning equipment is permitted in stores above grade.	chimney flues etc. shall be installed and maintained so as to be structurally safe durable etc. and capable of withstanding the action of flue gases without softening, cracking, corroding etc.	every seal between the sections of a hot air furnace shall be tight so noxious gasses will not escape into heat ducts.
N.Y. State Model Code	A 504-6 discret. -perf.	A 504-7 a perf. -discret.	A 504-7 b	A 504-8 a specif. discret.	A 504-8 b specif. discret.	A 504-9 a perf.	A 504-9 b perf.	A 504-10 specif.	A 505-1 a perf.	- - -
Toronto	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Windsor	- - - - -	4.17 in part perf.	- - - -	4.17 in part perf.	4.17 in part perf.	- - - -	- - - -	- - - -	- - - -	- - - -
Ottawa	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
St. John N. B.	8(a); 8(b) in part 9(3) (g)(h)(i) specif.	- - - -	- - - -	9(3) (f) specif. discret.	9(3) (f) specif. (discret)	- - - -	- - - -	- - - -	- - - -	9(3) (c) perf.
Halifax	7 (in part) specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -

	these facilities must effectively convey away the products of combustion to outer air.	A505-1b perf.	A 505-1c perf.	flue linings must be capable of withstanding the action of flue gas without softening, cracking, corroding etc. at the subjected pressure.	A 505-1 d perf.	A 505-1e perf.	A 505-1f specif.	no flue shall have smoke pipe or gas vent connections in more than one storey of a building.	fuel-burning equipment and fireplaces located in different tenances shall not be connected to the same flue.	
N.Y. State Model Code										
Toronto	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	
Windsor	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	
Ottawa	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	
St. John N. B.	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	
Halifax	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	
Yarmouth	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	

8. (c) Plumbing

	plumbing systems shall be maintained in sanitary and serviceable condition and so as not to weaken structural members nor damage or deteriorate any part of the building through fixture usage.	pure and wholesome water from an approved source shall be available at all times in residential buildings and the domestic water supply system shall be connected to this source and shall not be subject to contamination.	when a common water supply is not available, a plumbing system is not mandatory.	the volume of pressure of system at all times must be sufficient to enable the system to function satisfactorily and without undue noise under all normal conditions of use.	water used for cooling or heating purposes shall not be re-introduced into the domestic water supply system nor be distributed thru such equipment to plumbing fixtures.	hot water supply systems shall have safety devices arranged to relieve hazardous pressures and excessive temperatures.	plumbing fixtures shall be drained to a sewage drainage system and such a sewage drainage system shall be connected to a public sewer or to an adequate and approved system of sewage disposal.	where a public sewer is not available a system shall be provided to receive and dispose of sewage without hazard or nuisance.	sewage or other polluting waste shall not be discharged into the ground or into a waterway unless it has first been rendered harmless through treatment.
N. Y. State Model Code	A 502-1 perf.	A 502-2 a specif. perf.	-----	A 502-2 b discret. perf.	A 502-2 c perf.	A 502-2 d specif. perf.	A 502-3 a specif.	A 502-3 b perf.	A 502-3 c specif. perf.
Toronto	-----	-----	-----	-----	-----	-----	-----	-----	-----
Windsor	-----	4.8; 4.15 (in part) perf.	-----	-----	-----	-----	4.25 (in part) specif.	4.25 (in part) discret.	-----
Ottawa	3 (o)	3(m) in part perf.	-----	-----	-----	-----	3(n) in part 3(m) in part specif.	-----	-----
St. John N. B.	-----	-----	10(5) (b) specif.	-----	-----	-----	-----	-----	-----
Halifax	-----	-----	-----	-----	-----	-----	-----	-----	-----
Yarmouth	-----	-----	-----	-----	-----	-----	-----	7(2) specif.	-----



8. (c) Plumbing (cont'd)

	substances which will clay the pipes, produce explosive mixtures, destroy the pipes or their joints or interfere unduly with the sewage disposal process shall not be discharged into the building drainage system unless provided with a trap.	each fixture directly connected to the sewage drainage system shall be equipped with a water seal trap.	A 502-3 e specif.	A 502-3 f perf.	the drainage system and its attendant vent piping shall be maintained so as to provide adequate circulation of air in all pipes in order that siphonage, aspiration, or pressure will not cause a loss of trap seal under ordinary conditions.	each vent terminal to the outer air shall be installed and maintained to minimize the possibility of clogging, frost closures, the return of foul air to the building or the creation of a nuisance to adjacent premises.	drains, provided for fixture devices, appliances etc. containing food, water, sterile goods etc. shall be equipped to prevent contamination of such contents from any possible backup of sewage through direct or indirect drainage piping.	roofs and paved areas, including yards and courts shall be drained.	A 502-4a perf.	storm drainage shall be conveyed to an adequate and approved system of storm water disposal where available.	storm drains shall be discharged in such manner that water will not flow into sidewalks.	where a drainage system may be subject to backwater, suitable provisions shall be made to prevent overflow into the building.
N. Y. State Model Code	A 502-3 d specif.				A 502-3 g perf.	A 502-3 h perf.	A 502-3 i specif.	A 502-4a perf.	A 502-4a perf.	A 502-4a perf.	A 502-4a perf.	A 502-4b perf.
Toronto	- - -	-	-	-	-	-	-	-	-	-	-	-
Windsor	- - -	-	-	-	-	-	-	-	-	-	-	-
Ottawa	- - -	-	-	-	-	-	-	-	-	-	-	-
St. John N. B.	- - -	-	-	-	-	-	-	-	3(a) in part perf	-	-	-
Halifax	- - -	-	-	-	-	-	-	-	3(a) perf. 9(2) perf.	-	-	-
Yarmouth	- - -	-	-	-	-	-	-	-	-	-	-	-

8. (c) Plumbing (cont'd)

	leaders and gutters if used shall be constructed of non-combustible materials except that wood leaders and gutters may be used for buildings not more than three storeys high.	buildings shall be provided with plumbing systems designed to dispose of the sewage from all fixtures and to furnish cold water to every water closet and urinal, and hot and cold water to every sink, lavatory etc. required.	each dwelling unit shall be provided with at least the following plumbing fixtures; one kitchen sink; one water closet; one bathtub or shower; one lavatory.	A 502-5 b specif.	where multiple dwellings contain sleeping accommodation in individual rooms or suites, for each multiple of six sleeping rooms there shall be provided plumbing fixtures of at least; one water closet; one bathtub or shower; one lavatory.	A 502-5 c specif. II(1) 14, specif.	in a dormitory, for each fifteen persons there shall be provided and located adjacent to them, plumbing fixtures consisting of at least; one water closet, one bathtub or shower, one lavatory.	urinals may be substituted in men's toilet rooms for not more than one-third of the required number of water closets.	A 502-5 e specif.	privies, privy vaults and outhouses shall be prohibited on residential premises.	where no plumbing system is installed, there shall be provided sanitary privies, chemical closets or other means for the disposal of human excreta as may be approved by the plumbing inspector.	A 502-6a specif.
N.Y. State Model Code	A 502-4 c specif.	A 502 -5 a perf.	A 502-5 b specif.	A 502-5 c specif. II(1) 14, specif.	A 502-5 d specif. II(1) 14 specif.	A 502-5 e specif.	A 502-5f specif.	plumbing fixtures shall be made of smooth non-absorbent material and shall be free from concealed fouling surfaces.	A 502-6a specif.			
Toronto	- - - -	- - - -	II (1) 13, 14 specif.	II(1) 14, specif.	II(1) 14 specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Windsor	- - - -	- - - -	4-16 (in part) specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Ottawa	- - - -	- - - -	3(m) (n) in part specif.	3(m) in part specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
St. John N. B.	- - - -	10(3) perf.	10(1) (5) a specif. discret	10(2) specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Halifax	- - - -	- - - -	8 in part specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Yarmouth	- - - -	- - - -	7(1) specif.	2(d); 7(1) specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -

## 8. (c) Plumbing (cont'd)

	plumbing fixtures shall be so spaced as to be reasonably accessible for the intended use and shall be located in spaces that are accessible, lighted and ventilated.	water supply to fill or clean swimming pools shall be clean and shall be protected against potential pollution, from all sources, including cross-connection and backflow.	draws shall be provided so that the swimming pools can be safely and adequately drained and draws shall be provided in floors surrounding the pool so as that water from these areas will drain without entering the pool.	swimming pool filtering sterilizing and auxiliary equipment shall be adequate to maintain the sanitary quality of water during each period of use and equipment capable of giving off or disinfectants capable of being put in dangerous fumes shall be put in ventilated rooms.	installation shall be arranged and maintained to prevent dirt, sand or other foreign material from entering the bathing area.	water supply tanks shall be water-tight, verminproof, rodent-proof, corrosion - resistant, and capable of withstanding working pressures under normal operation.	tank supports shall be non-combustible.	tanks and their supports shall not be used to support equipment or structures other than for tank use, except where specially designed for such other use.	means for emptying water supply tanks shall be provided and maintained in proper working conditions.	
N.Y. State Model Code	A 502-2 bc perf.	A 502-7 a perf.	A 502-7 b perf.	A 502-7 c perf. specif.	A 502-7 d perf.	A 502-8 a perf.	A 502-8 b perf.	A 502-8 c specif.	A 502-8 d perf.	
Toronto	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Windsor	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Ottawa	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
St. John N. B.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Halifax	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	



	potable water supply tanks for domestic supply and standpipe or automatic sprinkler systems shall be installed and maintained to furnish water in sufficient quantity and pressure for such systems	the cellar of any building shall be drained.	
N.Y. State Model Code	A 502-8 e perf.	- - - -	
Toronto	- - - -	11(1) 2 perf.	
Windsor	- - - -	4.3 specif.	
Ottawa	- - - -	3(c) in part perf.	
St. John N. B.	- - - -	- - - -	
Halifax	- - - -	- - - -	
Yarmouth	- - - -	6(d)	

8. (d) Electrical Equipment

	electrical wiring and equipment shall be installed and maintained so as not to be a potential source of ignition of combustible material or a potential source of electrical hazard.	electrical wiring and equipment shall be firmly secured to the surface on which it is mounted.	electrical wiring and equipment installed in damp or wet locations or where exposed to explosive or flammable gases, or to excessive temperatures shall be of a type approved.	electrical wiring and equipment shall be protected against excessive current by properly rated overcurrent devices.	it shall be protected by insulation or grounding to minimize the danger of high voltages.	spark-producing electrical equipment shall be enclosed unless separated and isolated from all combustible material.	service equipment and overcurrent protection devices shall be installed and maintained in a readily accessible location.	every habitable room in every dwelling shall contain at least one duplex receptacle.	no portable electrical room heaters over 600 watts shall be used in any room in a dwelling unless an outlet is installed.	no range, hot plate or similar appliance shall be used in any room in a dwelling unless it is connected to a circuit of No. 12 gauge wire.
N.Y. State Model Code	A 507-1 a perf. discret.	A 507-1b specif. discret.	A 507-1 c specif.	A 507-1 d specif.	A 507-1 e perf. discret.	A 507-1 f specif.	A 507-1 g perf. discret.	- - - -	- - - -	- - - -
Toronto	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Windsor	4.20 (semble) specif.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
Ottawa	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -
St. John N. B.	- - - -	- - - -	- - - -	7(6) specif.	- - - -	- - - -	- - - -	7(2) specif.	7(3) perf.	7(4) specif.
Halifax	- - - -	- - - -	- - - -	6(6) specif.	- - - -	- - - -	- - - -	6(2) specif.	6(3) specif.	6(4) specif.
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -

	every oil burner installed in a furnace in a dwelling shall be supplied by a circuit used exclusively for the unfused disconnect mechanism controlling it shall be located at a distance etc.	all electrical wiring in a dwelling shall be installed and maintained in accordance with the provisions of existing by-laws re: installation of electric wiring.	
N.Y. State Model Code	- - - -	- - - -	
Toronto	- - - -	- - - -	
Windsor	- - - -	- - - -	
Ottawa	- - - -	- - - -	
St. John N. B.	7(7) specif.	7(8) specif.	
Halifax	6(7) specif.	6(8) specif.	
Yarmouth	- - - -	- - - -	



8. (e) Fuel Gas Piping Equipment and Systems

	fuel gas piping systems shall be installed and maintained so as to remain gas-tight, safe and operative under conditions of use.	the system must provide a supply of gas sufficient to meet the maximum expected demand of the installed gas-burning appliances connected thereto.	all gas piping systems must have at least one accessible means for shutting off the gas supply in close proximity to and ahead of every outlet for a gas hose connection.	gas services, gas meters and gas pressure regulators shall be located so that they are protected from damage.	gas refrigerators and ranges shall be installed with clearance for ventilation.	refrigerator parts serving as flues shall be resistant to the action of the products of combustion.	any service connection supplying gas at a pressure in excess of 1 p.s.i., gage shall be provided with a device to reduce the pressure to not more than $\frac{1}{2}$ p.s.i. gage prior to entering the meter, except where equipment uses high pressure.	undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in buildings.	liquefied petroleum gas shall not be vaporized by devices using open flame or open electrical coil.	where two or more containers are installed, connection shall be arranged so that they can be replaced without shutting off the flow of gas to equipment.
N. Y. State Model Code	A 503-1 a perf.	A 503-1 b perf.	A 503-2 specif.	A 503-3 perf.	A 503-4 perf.	A 503-4 b perf.	A 503-4 specif. perf.	A 503-6 a specif.	A 503-6c specif.	A 503-6 c perf.
Toronto	---	---	---	---	---	---	---	---	---	---
Windsor	---	---	---	---	---	---	---	---	---	---
Ottawa	---	---	---	---	---	---	---	---	---	---
St. John N. B.	---	---	---	---	---	---	---	---	---	---
Halifax	---	---	---	---	---	---	---	---	---	---
Yarmouth	---	---	---	---	---	---	---	---	---	---

	containers shall be designed, stored & located so as not to be a hazard to the premises served or to the surrounding property.	liquified petroleum gas shall be odorized so that the presence of gas will be recognized by a distinc- tive odor when the concentration is equal to, or greater than, 1/5 the lower limit of combustibility.	systems shall be provided with safety devices to relieve excessive pressures, and shall be arranged so that the discharge terminates at a safe location.	systems shall have at least one accessible means for shutting off the gas, which means shall be located outside the building.	
N.Y. State Model Code	A 503-6 d perf.	A 503-6 e perf.	A 503-6 f perf.	A 503-6 g specif.	
Toronto	- - - -	- - - -	- - - -	- - - -	
Windsor	- - - -	- - - -	- - - -	- - - -	
Ottawa	- - - -	- - - -	- - - -	- - - -	
St. John N. B.	- - - -	- - - -	- - - -	- - - -	
Halifax	- - - -	- - - -	- - - -	- - - -	
Yarmouth	- - - -	- - - -	- - - -	- - - -	

## 8. (f) Incinerators

	incinerators must be of adequate capacity and must be connected to suitable non-combustible chimney etc. and their connections must provide for refuse without clogging.	flue-fed incinerators shall have means to burn auxiliary fuel in sufficient quantity to assure complete combustion of refuse and must have substantially constructed spark arresters.	service openings shall be readily accessible to the building occupants.	durable signs with plainly legible letters prohibiting disposal of highly inflammable substances in incinerators shall be provided near service opening.	
N.Y. State Model Code	A 506-1 a d e perf.	A 506-1 b c perf. discret.	A 506-2 a, perf. discret.	A 506-2 b specif. discret.	
Toronto	- - - - -	- - - - -	- - - - -	- - - - -	
Windsor	- - - - -	- - - - -	- - - - -	- - - - -	
Ottawa	- - - - -	- - - - -	- - - - -	- - - - -	
St. John N. B.	- - - - -	- - - - -	- - - - -	- - - - -	
Halifax	- - - - -	- - - - -	- - - - -	- - - - -	
Yarmouth	- - - - -	- - - - -	- - - - -	- - - - -	



8. (g) Elevators, Dumbwaiters & Escalators in Multiple Buildings

	elevators, dumb-waiters and escalators shall be maintained so as to be free from physical and fire hazards.	elevator and power-operated dumb-water cars shall be provided with durable signs in conspicuous locations on which the rated capacity shall be indicated.	elevator card must have an approved means for transmitting a signal outside the hoistway in case of emergency.	hoistways and pits shall be maintained free of refuse.	machine rooms shall be maintained free of oil and grease and shall not be used for storage of articles unnecessary for the maintenance of elevator or dumb-waiter - no inflammable liquids.	no protective or safety device may be made inoperative except during necessary tests etc.	
N. Y. State Model Code	A 503 a perf.	A 513-b specif.	A 513-3 c perf.	A 512-3 d specif.	A 512-3 e specif.	A 512-3 f specif.	
Toronto	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Windsor	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Ottawa	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
St. John N. B.	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Halifax	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	
Yarmouth	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	



## APPENDIX C

# Contributors to Study

The following is a list of agencies from whom we received assistance and information either through field work or through correspondence.

### CANADA

Central Mortgage and Housing Corporation, Head Office, and all Regional and Branch Offices.

### ONTARIO

#### PROVINCIAL DEPARTMENTS

Municipal Affairs, Economics and Development, Attorney-General, Health.

#### CITIES

Belleville  
Cornwall

Fort William  
Galt  
Hamilton

Kingston  
Kitchener  
London  
Metropolitan Toronto  
North Bay  
Ottawa

Port Arthur  
Peterborough  
Sudbury

Sarnia  
Sault Ste. Marie

St. Catharines  
St. Thomas  
Toronto  
Windsor

#### TOWNS

Blind River  
Dundas  
Kenora  
Lindsay  
Merritton  
Orillia  
Prescott  
Trenton  
Timmins

#### TOWNSHIPS

Anderdon  
North York  
Sandwich East  
South Dumfries  
Teck  
Toronto  
Whitchurch  
York

#### VILLAGES

Sutton  
Swansea

#### OFFICES

Assessment, Clerk, Planning.  
Clerk, Engineering, Fire, Health, Planning.  
Building, Health, Planning.  
Building.  
Building, Clerk, Fire, Health, Planning, Urban Renewal.  
Building, Planning.  
Building, Health, Planning.  
Architecture and Building, Clerk.  
Planning.  
Assessment, Clerk.  
Assessment, Housing Standards Board, Planning.  
Health, Planning.  
Building, Clerk, Health.  
Building, Engineering, Fire, Health, Planning.  
Building, Engineering, Fire, Planning.  
Building, Fire, Health, Planning.  
Solicitor's.  
Clerk.  
Clerk, Health, Housing Authority.  
Building & Development, Planning.  
Mayor's, Building, Planning.

Clerk, Health, Planning.  
Clerk.  
Assessment, Clerk, Health.  
Assessment, Planning.  
Planning.  
Planning.  
Engineering.  
Clerk.  
Assessment, Building, Health.

Reeve's.  
Clerk.  
Planning.  
Clerk.  
Assessment, Clerk, Health.  
Development, Planning.  
Assessment, Building.  
Planning.

Clerk.  
Building, Planning.

### BRITISH COLUMBIA

#### PROVINCIAL DEPARTMENTS

Municipal Affairs,  
Lower Mainland Regional Planning Board

#### MUNICIPAL Vancouver

Richmond  
Victoria  
Saanich

#### OFFICES

Assessment, Building, Health,  
Housing Authority, Planning.  
Solicitor.  
Mayor's, Building, Planning.  
Mayor's, Building, Planning.

### ALBERTA

#### PROVINCIAL DEPARTMENTS

Municipal Affairs

#### MUNICIPAL

Bowness  
Calgary  
Edmonton

#### OFFICES

Reeve's.  
Mayor's, Building, Planning.  
Architecture, Assessment, Planning,  
Solicitor, Welfare.

### SASKATCHEWAN

#### PROVINCIAL DEPARTMENTS

Municipal Affairs,  
Social Welfare

#### MUNICIPAL

Regina  
Saskatoon

#### OFFICES

Building, Planning.  
Mayor's Planning.

### MANITOBA

#### PROVINCIAL DEPARTMENTS

Industry and Commerce,  
Health

#### MUNICIPAL

Metro Winnipeg  
Winnipeg

#### OFFICES

Planning.  
Assessment, Building, Health, Housing  
Division, Solicitor, Welfare.

### QUEBEC

#### PROVINCIAL DEPARTMENTS

Municipal Affairs

#### MUNICIPAL

Montreal  
Quebec City  
Trois Rivières

#### OFFICES

Health, Planning.  
Building, Health, Planning.  
Building, Planning.

### NEWFOUNDLAND

#### PROVINCIAL DEPARTMENTS

Municipal Affairs and Supply

#### MUNICIPAL

St. John's

#### OFFICES

Assessment, Building, Clerk, Housing  
Authority, Planning.

### NOVA SCOTIA

#### PROVINCIAL DEPARTMENTS

Municipal Affairs, Health,  
Housing Commission



MUNICIPAL  
Halifax  
Sydney

OFFICES  
Mayor's, Assessment, Building,  
Health, Planning, Solicitor, Welfare.  
Mayor's, Building.

### NEW BRUNSWICK

PROVINCIAL DEPARTMENTS  
Municipal Affairs, Health

MUNICIPAL  
Fredericton  
Moncton  
Saint John

OFFICES  
Building.  
Mayor's, Building, Planning.  
Assessment, Building, Fire, Health,  
Solicitor.

### PRINCE EDWARD ISLAND

PROVINCIAL DEPARTMENTS  
Treasury, Housing Commission,  
Industry and Natural Resources

MUNICIPAL  
Charlottetown

OFFICES  
Mayor's, Clerk.

### UNITED KINGDOM

London

The Royal Society of Health.

### U. S. A.

Alabama  
California  
  
Florida  
Georgia  
Illinois  
Indiana  
Kansas  
Louisiana  
Maryland  
Massachusetts  
Michigan  
  
Minnesota

Anniston.  
Alameda, Los Angeles, Oakland, Pasadena, Sacramento, Salinas, San Bernardino, San Diego, San Francisco, San Mateo, Santa Clara, Stockton.  
Miami.  
Atlanta, Savannah.  
Chicago, Rockford.  
Des Moines, Indianapolis.  
Topeka.  
New Orleans, Shreveport.  
Baltimore, Takoma Park.  
Boston, Cambridge.  
Ann Arbor, Detroit, Flint, Mount Clemens, Pontiac, Saginaw,  
Minneapolis.

Missouri

Nevada  
New Hampshire  
New Jersey

New York

North Carolina  
Ohio

Pennsylvania

Rhode Island  
South Carolina  
Tennessee  
Texas  
Virginia  
Wisconsin  
District of Columbia

Clayton, Columbia, Kansas City,  
Mexico, St. Louis.  
Las Vegas, Reno.  
Concord.  
Burlington, Camden, East Orange,  
Morristown, Newark, Patterson, Perth  
Amboy, Plainfield, Trenton.  
Albany, New York State (Division of  
Housing), New York City, Niagara  
Falls.  
Charlotte, Durham, Fayetteville.  
Cincinnati, Columbus, Dayton,  
Toledo.  
Easton, Media, Philadelphia, Pitts-  
burgh, Scranton, Commonwealth of  
Pa.  
Providence.  
Columbia, Greenville, Spartanburg.  
Nashville.  
Dallas, Fort Worth.  
Richmond, Roanoke.  
Milwaukee.  
Washington, Housing and Home  
Finance Agency.

### OTHER AGENCIES

Community Planning Association of Canada.  
National Research Council.  
Rural Beautification Society, P.E.I.  
School of Social Work, Laval University.  
School of Social Work, University of B.C.  
Quebec Credit Farm Bureau.  
Committee on National Building Code, Ottawa.  
Association of Women Electors, Toronto.  
Social Planning Council of Metro Toronto.  
E. G. Faludi & Associates — S.S. Marie, Urban Renewal Study.  
G. Stephenson & Associates — Kingston Urban Renewal Study.  
Dr. J. Hodgson — Montreal Urban Renewal Study.  
Canadian Federation of Mayors and Municipalities.  
Committee on National Building Code.  
Ontario Association of Rural Municipalities.  
Canadian Federation of Agriculture.  
Eric Hardy — Private Consultant.  
Montreal Citizens Committee.  
Royal Architectural Institute of Canada.  
International Conference of Building Officials.  
National Institute of Municipal Law Officers.  
American Society of Planning Officials.  
American Public Health Association.























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